

Press Conference by the High Representative, Mr. Carlos Westendorp and the Principal Deputy High Representative, Amb. Jacques Paul Klein following the Meeting of the Steering Board of the Peace Implementation Council

Carlos Westendorp: Sorry for being late. We can never have an exact assessment when exactly we are going to finish at the Steering Board meetings. In any case thank you for your patience. The Steering Board has just finished. The agenda was about several issues. We have dealt with the municipal elections. They took place, and that is already good news, and in a relatively peaceful way; no major incidents took place.

Now there are two main problems. One is the possible difficulties of implementation in some cases. We have not yet identified any particular problems but they may come, and most likely they will come; and for that reason the Steering Board members have reiterated their support to the post-election implementation plan which was endorsed at Sintra, where the responsibility of the implementation lies mainly on the parties and the local authorities, monitored by the election implementation commissions which are called the ERICS, and we have to monitor these results in the coming future.

That is the short term problem, and there is a long term problem, which is of course the need for having really free and fair elections, which means basically that the parties, the main parties, are no longer mono-ethnic parties. That is unprecedented. Parties are mainly mono-ethnic. You may imagine that in a political confrontation, if one of the parties wins, the other loses and there is a confrontation between ethnic groups and not between the ideological groups, so for that in the future we will need to have two things mainly. One thing is the restructuring of the police and the second thing is the opening up of the media, having free and fair media. So we have dealt with the elections, not only the municipal elections but the forthcoming elections in Republika Srpska.

As you know OSCE have accepted to supervise the Assembly elections which will take place in November, around the 23rd of November, and any other elections that may be asked according to the Constitutional rules of the country, Presidential elections and the member of the Presidency, following the agreement of Belgrade. The Steering Board agreed on concentrating on the RS Assembly elections which are the first in time, and then make different plans for the other elections, Presidential and others. As far as the police is concerned, we have seen a lot of progress in the Federation and also in the Republika Srpska. Progress on paper because RS has just signed the agreements on reforming the police between the IPTF and the RS authorities. We welcome that but it has to be followed up in the future.

About the media we have examined the different evolutions of the problem. There was a good response to the threats of taking military action if public television did not comply with the so called Udrigovo agreement. We noticed improvement until last Sunday, when they distorted entirely a press conference by the Prosecutor Judge Arbour. I will elaborate on that later. We have examined this issue and I have informed of the decision which has been taken. I will go back because I think that this is the most important hot spot to be examined.

We have also examined the crucial point of Brcko. The Supervisor has to set up a multi-ethnic administration, police force and judiciary in Brcko, and the Steering Board has supported the successful returns, and also the Supervisor in taking measures to ensure that the process remains peaceful and orderly. There will be a monographic conference on Brcko this month to inform of the situation to Roberts Owen, who is the Arbitrator, and also to concentrate financial efforts to that particular region which is of vital importance for the success of the whole operation. We have also been examining the Sintra issues. There has been progress in many areas, for instance the military matters, the opening of the airports etc, but there is a total blockage in other issues, for instance citizenship and passports, the design of currency, the flags, the symbols; so we will examine further measures in order to put pressure on the parties to implement these issues.

And finally, as far as economic issues is concerned, we have studied the issue of conditionality which is going to be applied by the Economic Task Force, chaired by the OHR. We will do it in a very flexible way to allocate the funds to those who comply with Dayton, and of course not to those who don't, and finally the Steering Board supported the approach that the OHR is taking as far as corruption is concerned. You are aware that corruption is an important issue. There has been some misunderstanding about the amount of corruption being to do with

international aid, and this is not the case. The case is mainly inside, in the functioning of each entity. It is mainly smuggling, the deviation of funds coming from internal taxation. So there is a whole range of proposals that will be examined at the Ministerial Meeting in December, in Bonn. But in principle we are thinking of setting up an inter-agency task force composed of international organisations, OHR, and also local authorities to open up transparency in the public functioning, and also to fight against corruption, together with re-enforcement of CAFAO which is the Organisation depending on the European Union and which is dealing with the smuggling. Now we are proposing to extend their action not only to smuggling but also to the internal revenue taxes.

This is the content of the Steering Board and now, if you allow me, I will tell you what happened last Sunday. You remember that on the 10th of September I have written a letter together with General Shinseki to the member of the Presidency Krajisnik, in his capacity of the Chairman of the Board of the SRTV, that there was an agreement and that if this agreement of four points, the so called Udrigovo agreement, was not respected, then we will be obliged to take military action to enforce this agreement. This warning was there because I announced that it was the final warning to Krajisnik and all of a sudden after some willy-nilly compliance with the requirements of the MSAG that we have set up, all of a sudden they have made a transcript of Judge Arbour's press conference made on SRTV in Pale on 28 September which contained a number of crucial deletions and additions and preceded by an inflammatory commentary. I will just let you know of some of the comments included in this commentary: "Very soon, however, the balance at the Tribunal began to shift against Serbs. Even though the authorities of Republika Srpska did everything based on international law and on the laws of the RS to undertake all necessary steps to prevent genocide and multiple crimes." "In time, the Hague Tribunal shifted from being a legal institution to a political instrument aimed at pressurising the Serbs."

"Soon after, the Tribunal indicted for war crimes the former President of Republika Srpska, Radovan Karadzic, and Republic Srpska army commander Ratko Mladic and requested that they be extradited which is contrary to the laws of Republika Srpska which prohibits extradition." "Additionally, it was said that the citizens of Republika Srpska do not believe Dr. Radovan Karadzic and Ratko Mladic are war criminals, rather they are national heroes and heroes of today."

"In addition, despite the willingness of RS authorities to try and find optimal solutions and modalities for cooperation with the Tribunal it continued to indict Serbs for genocide in an unfounded and unjust manner." When Judge Arbour was questioned, the wording of one of the questions was distorted as follows: "Some of the questions at the press conference were about why it was that Dr. Radovan Karadzic had not been brought to trial, even though there is no valid legal proof against him." The words "even though there is no valid legal proof against him" were not used by any journalist at the press conference. So you can see that all of the Udrigovo agreement not to distort and not to put any comments on the international organisations and not to use inflammatory language has been infringed and there is a clear breach and in view of that breach I had to recognise that there was this infringement to the agreement and recommend the announced warning to take place, that is to say to use military action, and this military action was taken this morning, and the transmitters of Trebovic, Leotar, Udrigovo and Duge Njive are now under the custody of SFOR troops, but for the time being there is no hindrance of broadcasting from the Pale television. As you know there is an agreement in Belgrade that there will be one day Banja Luka will broadcast, which was today, that is why Pale today has not been transmitting, and tomorrow I think is the turn for Pale to broadcast; for the time being this is not prevented. This four transmitters are under the custody of SFOR troops and any other further action is being considered by the international community in the coming hours but for the time being that is all that has happened.

Q: Firstly could we get these quotations ? Secretary-General Solana and General Clark said today that maybe they will give those transmitters to Banja Luka. This is how the agencies quoted them in Maastricht. Listening to those quotations this is nothing compared to what Pale used to say in the last six years and even in the last months comparing the SFOR forces with the nazi troops. Was this only a good excuse to cut off the TV Pale for some other purposes ?

Jacques Paul Klein: I think that you are quite accurate. Pale has a consistent pattern of excesses which have at times led to violence. Based on our agreements with them, we hoped that that would cease and we asked them to cease and desist. The High Representative also made very clear in his final letter to them that that kind of behaviour would no longer be tolerated by the international community. Unfortunately for them they violated that agreement, and the HR then asked specifically that General Shinseki, in consultation with his NATO superiors, take whatever action they deemed appropriate. So your assessment is correct; there were excesses; we asked them to stop; they were given a final warning; they felt the heed that warning; and this course of action has been taken.

Q: Can we expect the same actions for some other media in BiH?

Jacques Paul Klein: In fact, even before this accident occurred, we had already requested that the directors of the stations of RST and in Mostar report to the Committee to explain a series of editorial comments that had been made. So you are quite accurate, others do some of this as well, not as egregious but they are being called in to answer to the Committee for their actions.

Carlos Westendorp: Just on your question about the NATO press statement, I think that all of you have it. I have a copy here and it can be given to you. The further action, if there is any, it has to be considered by capitals and by ourselves, so for the time being the only measure taken is the custody of these four transmitters.

Q: Does it mean that tomorrow TV Pale can transmit their programme?

Carlos Westendorp: In principle, yes. We are examining further actions. It all depends on the evolution of the situation.

Q: They can transmit tomorrow; but the transmitter is in the custody of SFOR ?

Jacques Paul Klein: That is correct. And that should send I think an interesting signal.

Q: Is there a possibility for negotiations?

Jacques Paul Klein: I don't think that SRT is in a position to negotiate with the international community. SRT has violated its agreements with the international community. The international community will now tell SRT what the conditions are.

Carlos Westendorp: Of course they have to comply with these conditions which are already on the table. If they transmit tomorrow, which is possible, if this is the decision that the international community takes, well in this case they will have to comply with the Udrigovo agreement and to have a fair editorial approach and comply with the agreement between Krajisnik and Mrs Plavsic in Belgrade. That is to say, a fair editorial approach for both sides and also for all political parties in RS because we must not lose sight that there are other parties in the RS who deserve also space and opportunities of broadcasting, which are not necessarily Mrs. Plavsic's and Mr. Krajisnik's parties.

Q: Two questions. My understanding is that there were Russian troops involved in the operation. How significant do you think that is given the fact that in the past the Russians have been quite critical of plans to jam broadcasting ? My second question is of interest to my listeners today. Today is the first anniversary of Justice Arbour's term as chief Prosecutor, could you give me an assessment of her performance over the past year ? How has co-operation proceeded with your office ?

Carlos Westendorp: Well precisely, I am going to see her tomorrow because we are in constant contact with her. I think that her role has been crucial in this process. She is really very effective and one of the proofs was the action taken by SFOR a couple of months ago, three months ago, and she needs to be supported because the Tribunal in general has a crucial role, that is to say the judgement about the indicted war criminals. We have always said that without this issue being solved there will be no normal life in Bosnia and Herzegovina, and Judge Arbour, together with her colleagues, is doing a remarkably good job. That's for sure.

On your first question we have been discussing and I have informed all the member states of the Steering Board, and all of them in general have supported the measures taken but of course some of them have different nuances. In general this is not going to break the international community at all.

Jacques Paul Klein: Let me just describe this. You know, I think Judge Arbour is a very dedicated international jurist who has done a superb job, and indeed in the past four months, as the High Representative said, the UN arrested the first war criminal arrested in the former Yugoslavia, as you know in Erdut, in June. That was done in conjunction with ICTY investigators, and then subsequently the Prijedor action. So I think that you have some real movement in the past three months, something is actually happening. I think that's to the international community's credit. As far as the support goes I think that you will find that in any action like this there is always consultation, and I think we've found a consensus among our traditional allies today in support of the events of the past 48 hours.

Q: Could I ask you something about the last information coming from Pristina. Have you been informed about it ?

Carlos Westendorp: Yes, indeed. I don't have the document here with me but in fact we are aware of these events. We have been discussing them and we have taken a good note of the Joint Declaration by the European Union Troika and the US, expressing their concern about the repression of a peaceful manifestation in Kosovo which we deplore. We have also recalled the Declaration made by the Contact Group in New York at ministerial level very recently expressing their concern about the situation in Kosovo, the need for dialogue between the authorities of the FRY and the Kosovo authorities and mainly the implementation of the Education Agreement, which was really the cause of these manifestations of students in Kosovo, which has been repressed in a very unfair and brutal way. So we have all of us discussed that and I have received the general feeling that this was to be underlined by myself saying here that we are very much concerned about these actions.

Q: After today's manifestations do you expect something new, I don't know, something like a concession from the Government in Belgrade ?

Carlos Westendorp: Of course, the line of the international community is to encourage dialogue between the authorities in Belgrade and the Kosovo authorities and see a way out of this situation. We, the international community, exclude any ideas of independence, but through this dialogue we have to find a way out of the situation and the recognition of minority rights and also adequate autonomy to the region.

Q: What will be the further action of the international community? What will be the next steps if they don't follow your request?

Carlos Westendorp: Well you know the simple fact of having this control of these four transmitters can be used in favour of Pale or in favour of Banja Luka. You know it is technically very easy to do that but the measures we are considering will depend of the attitude of the SRT authorities. If this attitude, as Amb. Klein said, is in accordance with the international community's suggestions about the opening up of the media and fair behaviour etc - but not just a transitional good behaviour, as it was in Udrigovo, but a permanent one with a permanent mechanism which guarantees that this television is no longer being used for inflammatory purposes to foster these ultra-nationalist ideas and used also against the international community - if we have full guarantees that this is never going to happen, and this implies a deep modification of their behaviour, then we shall consider further measures, which of course we have not yet studied in depth.

Q: About the minority rights. Is this a good approach to say that there is a minority of Albanians living in Kosovo, when there is a majority of 90 %?

Carlos Westendorp: It is the majority in Kosovo but the minority in Yugoslavia. The international community in general and at least the Steering Board excluded independence as a way out, but of course you are very well aware that through dialogue Kosovo and Yugoslavia have to find a modus vivendi which is based upon a very complete self-government, autonomy.

Q: I have a question for Amb. Klein. Today you had a meeting with Mr Van den Broek and you discussed the Plavsic-Krajisnik agreement. They said that the agreement was not clear. Could you elaborate.

Jacques Paul Klein: I can tell you that the meeting with Mr. Van den Broek was excellent. As you know our aim has always been that we do not demonise the Serb people. The problem in the RS is the question of flawed Serb leadership. The Serb people aren't to blame for their leaders, who time and again have led them into historical cul-de-sacs. The issue with the European Community was how to use the funds. Do you penalise the people because of the mistakes of their leaders, as we saw with the RST, and the answer is no. In another words the funding projects, those for the serious infrastructure, bridges, railways, electrical grid, because they will be of long term benefit not only for the Serb people in the RS but to Bosnia as a whole. So that was a very constructive and useful meeting and I think ultimately we do need the economic revitalisation of Bosnia. We know that we need capital investment. We have high unemployment, and I think, once we've solved some of these economic issues, the political realities and the focus (inaudible) should diminish somehow.

Q: So what was not clear to you in the Krajisnik - Plavsic agreement ?

Jacques Paul Klein: No, everything was clear to me. I understand it perfectly.

Q: You mentioned the Conference on Brcko. Could you give us more details, the agenda ?

Carlos Westendorp: It will be in principle, it will take place in Rome because usually the Arbitrator, Roberts Owen, held this kind of gatherings with the international community in order to be informed about the evolution of the situation there. He will have to make the award very soon, early next year. He needs to see how the different parties are complying with their obligations in order to make a reasonable award. So this is why he needs input, and he is convening this conference, in Rome, in the middle of October. But at the same time we think that it will be useful also to have also a monographic conference on the reconstruction needs in Brcko. The Supervisor has pointed out that the international community has to make an extra effort in Brcko because the situation for instance with the water supply and water quality is very bad, also infrastructure in general, health problems, for that it is very important to have the support of the international community.

Q: And housing ?

Carlos Westendorp: And housing yes. Second housing, because you see in Brcko there are displaced persons who want to return to their homes of origin but their homes of origin are occupied by displaced persons coming from Serbia, from RS and from other places. And these people, as the Supervisor says, and rightly so, cannot be pushed into the streets and they have to find out some other houses and these houses should be provided by the international community.

Q: I have a question for Mr. Klein. We at the last moment see kind of the new initiative of the international community on Kosovo problem. Concerning the dialogue do you see some kind of serious possibility of the applications of these kind of agreements between Pristina and Belgrade without the intermediary role of the international community ?

Jacques Paul Klein: Let's just discuss Bosnia. In a sense, with three entities it is often quite hard to get consensus, because even though they might actually agree on the substance that is on the table they will, one or the other, for political reasons, to make a point, disagree. Without the international community as an arbitrator there will be no full agreement. Now, let's look back over the past two or three months. We've had an election that worked amazingly well considering all the criticisms. People actually for the first time were able to articulate at the ballot box what their concerns were. Now they did vote ethnically, we understand that and that will be the pattern for a while, it will be a long time before people vote ideologically in Bosnia, but the fact is they voted and after fifty years of communism and enormous cynicism towards the whole process of elections it is a major breakthrough. Now we will have the Assembly elections, it is the beginning of the process. Within the past two months we have negotiated for the opening of airports, Tuzla, Mostar, Banja Luka. This will be a major change that there will actually be air traffic coming into Bosnia. Last Friday we opened the bridges on the Sava to Croatia the beginning of trade traffic and commerce. Because, as you know, Banja Luka had traditionally gravitated in terms of education and trade to Zagreb. Those are our major steps but I would say that without the international community's involvement none of this would have happened, simply because the parties find it too difficult very often to deal with each others. Although the physical wounds of war may have healed, the psychological ones are still very, very deep and that will take a long time to overcome, and what the international community does is play the arbitrator. We are basically the law firm that has come between a corporation that has broken up and we are trying to be equitable and fair. We try to identify on both sides what the equities are, what is possible where can we rebind the wounds, where can we restructure something for the future and that is indeed what the international community does.

Q: Sorry but my question was on Kosovo.

Jacques Paul Klein: I'm worried about Bosnia.

Carlos Westendorp: We have concentrated on Kosovo in so far that it may have some implication on Bosnia. We are mainly competent to Bosnia problems but we cannot escape to analyse also other adjacent countries. But answering your question my personal feeling is that this problem has to be solved in close co-operation between Pristina and Belgrade and of course the international community is ready to give any support to these conversations.

Q: There is a great difference between supporting the parties or encourage the parties for dialogue and having an intermediary role in these negotiations.

Carlos Westendorp:For instance, I was in the Foreign Affairs Council recently and there was a resolution of the Council of Foreign Affairs saying that there will be international opening to Yugoslavia and the elimination of the sanctions etc can only be possible if there are some conditions, like co-operation in Bosnia, democratisation of the whole process and finally dialogue and autonomy for Kosovo. This is the position of the EU and also of the US.

Q: Did you say that everything was clear about this agreement between Mr. Krajisnik and Mrs Plavsic. I have the impression that in Mr. Westendorp's introductory remarks there is something unclear regarding the constitutional status of some other elections ?

Jacques Paul Klein:No, it is very clear. Let me tell you what they agreed to. They basically agreed that they will hold Assembly elections and then the agreement said that at that juncture a Committee might be formed from the Assembly, which could either recall the President or do any number of other things, or call for another election etc. What we've always said is that we support the elections for the Assembly and any other elections which are constitutionally mandated. This depends very much on Mrs. Plavsic because she, or let me put it another way, her term of office does not end until next year. She does not have to stand for election. Now, if she chooses to do so, that's fine, that's her right and her prerogative and that would be the constitutional process. And basically that's all there is to that. So Assembly elections, a Committee is formed, they decide whether they wish to have presidential elections, she would have to agree to that, and then we would have presidential elections. But I sent a letter to President Milosevic last week saying let's be very clear - Assembly elections, Presidential elections, OSCE is the key factor, and OSCE must be very much involved under the terms of all the international agreements.

Q: Yes, but according to the Belgrade compromise, the OSCE will only monitor the Parliamentary elections and the other elections will be organised according to the rules of the RS.

Carlos Westendorp:This is very clear that this is not possible.

Jacques Paul Klein:This is not possible. And that's what my letter said to President Milosevic. I don't think that they quite understand. A lot of these annexes to the various agreements are fairly detailed and one has to take a little time to really read through them to see what you can or cannot do, but the letter stated very clearly that OSCE has the prime responsibility for the elections.

Carlos Westendorp:The reason is very simple. There is no election law yet approved and there is no permanent election commission. So the only way to have elections in this entity is with the supervision of the OSCE.

Q: Have you discussed the issue of the war criminals today ?

Carlos Westendorp:We have not discussed that today because our position is very clear and that is the one I have expressed, they have to go to the Hague and preferably by their own will, if not the entity authorities should do it and in any case they should be there.

Q: According to some sources you objected to the final possible action of SFOR to apprehend some of the war criminals. Not at this elections but after.

Carlos Westendorp:No I have never objected that.

Q: Are you concerned of the implication of the possible arrests for your work ?

Carlos Westendorp:No, I am more concerned of non-action on that for our work. It contaminates everything.

Jacques Paul Klein:It contaminates everything. In other words the non arrest of war criminals is like an albatross that hangs over us, no matter how much other constructive good work the international community does in rebuilding, ethnic returns, opening bridges, opening roads, opening airports, this phenomenon is always there, it's like a cloud that's always there and that cloud needs to be erased and the issues need to be dealt with. As far as reaction goes, I will tell you very candidly that, when the individual or the individuals were arrested, there was some minor letter writing and call-in but we immediately went on the air and said let's make one thing clear - we had a sealed indictment for this individual, that's why he was arrested. Secondly that we don't associate him with the rest of his population. It's time we started disaggregating the war criminal, the murderer, the psychopath, the pathological killer from the people that he is from. Whether he is Croat, or Muslim, or Serb. And that is the really important thing and indeed, when we did that on television, within a day or two people would come up to us and say we knew that he was a bad man, we know he is, that is his own people saying that. And quite often they are

only too glad to get rid of them themselves. So it is a question of perception and how you handle that. There is also a phrase in the Balkans, an old proverb that says: Each owner is responsible for leashing his own dogs, and it is time that each side did that, it is time that each side cleaned up the detritus of war and got rid of the psychopaths and the murderers in their midst, because they know who they are. We shouldn't have to do it, the other side shouldn't have to do it, they should do it themselves.

Q: And if not

Jacques Paul Klein: Action's been taken. I wouldn't say nothing's been done. We've brought in some already. We shall see more.

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