

## **Interview: Carlos Westendorp, the High Representative in BiH "To Build a Better Life With Confidence"**

The International Community wants to help all the nations in both entities – the RS and Federation, with a promise that one builds a better life with confidence – the responsibilities of BiH and those of the entities are clearly and certainly stated in the Dayton Agreement which is above all the Laws in this area

SARAJEVO, July 30th – Carlos Westendorp, High Representative of the United Nations for BiH, received our Editor in Chief, Tomo Maric, and a journalist, Milenko Sajic, at his office in Sarajevo and gave an exclusive interview on the occasion of the fifty-fifth anniversary of the "Glas Srpski". Not even one question directed to Mr. Westendorp remained unanswered nor did he make any "fences" for any topic that was discussed during the almost two-hour conversation.

Mr. Westendorp, what was the meaning of your last statement made in New York, when you said that the implementation of the Dayton Agreement is "a half filled glass"? What is the filled half and what is the unfilled one?

As I am an optimist I hope that the glass will be filled to the brim in the months to come! That is exactly the interest of the RS citizens. There have been some positive changes in the economic reforms lately, the IC has increased its support, there is more pluralism in the RS than before, there is more struggle against corruption and criminality. Besides, there have been many other important changes like introducing of common licence plates, new currency, passports so that the citizens of the RS do not have to have a visa for travelling to Croatia. However, there are plenty of more important things that need to be solved and I will emphasise only two of those, the return of refugees and legislation in the field of property and ownership. Speaking of this I do not refer only to return of refugees to Srpska but also the return of Serbs into their homes in the BiH Federation and Croatia, which should be one global operation.

There is an encouraging attitude of Croatia which now accepts the possibility for the Serb refugees from Knin krajina and Eastern Slavonia to return to their homes, although we are still waiting for final results of those returns. The returns into the RS have not yet started on a big scale, except for Kozarac. Still, although this is not enough I think that this is a positive step.

I keep on putting pressure on authorities, in the RS as well as in the BiH Federation, to enable returns of refugees if they want to return to their homes and we will provide protection for the returnees. I think that this is the only way for Bosnia to heal its wounds, if the people live together again.

Another important issue is the property laws which should enable returns. I am disappointed because the RS has not solved this issue yet, but I hope that it will be done before the elections.

It is a fact that the Dayton Agreement is a law above all laws, however the politicians are using it only in their addressing to the IC. On the other hand, when they are addressing their people, they are still avoiding it and instead they are using strong national emotions. What is the reason for such behaviour of the BiH politicians?

The Dayton Agreement does not have the same popularity in all the political parties. At the moment we have two political parties in the Croat people, HDZ and HNI who struggle for its implementation, or at least that is what they state verbally. On the other hand in the RS there is a different situation because this entity is still homogeneous and the media have not always been open to all political options. I think that we will be listening to national ideas in BiH for a long period, which is not a bad thing if it is democratic and moderate nationalism. A problem appears when it becomes exclusive and excludes everything else.

Personally I think that it is a problem which includes dialogue, tolerance and education. I believe that there are several alternatives for the Dayton Agreement. Certain extremists want a minimum dose of a state, while on the other hand there are extremists who support a kind of unitary BiH and in the Agreement they are looking for the overdosed state. We must find some kind of a medium. This means to have a state which is sustainable, stable and that all the significant competencies are in the hands of the entities.

## Deserved, But Differently

How do you comment on the replacement of the leading persons in 16 local radio stations in Srpska?

The recent replacement in those 16 local radio stations is not in accordance with the principles and standards of the Media Commission. I am sure that they might have deserved this, but it should have been done in a correct manner. That is exactly the kind of work which should be in the authority of the Media Commission which would decide whether all the conditions required for work are fulfilled.

There is an opinion in Srpska that there is a great difference in implementation of the Peace Agreement in Brcko and Mostar. In other words, this Agreement did not create a competition for its implementation, but for as little implementation as possible. Is this conclusion true and is it being implemented more in Brcko than in Mostar?

The situation between these two cities is different, because an arbitration decision needs to be passed for Brcko, according to the Dayton Agreement. However, the multiethnic situation is far better in Brcko than in Mostar. I know that Brcko is of vital significance to the RS and that is why I encourage the parties in the RS to be as cooperative as possible with regard to this issue. It is vital for the BiH Federation as well, but for other reasons such as freedom of movement, multiethnicity, economy. Brcko can become a model of multiethnicity for the entire state.

As far as Mostar is concerned, I am worried because the situation is very tense and it can be compared with the movies on the Wild West where everyone stands on the other end of the street. Due to this reason in that city we must create conditions similar to the ones in Brcko. Both of these cities, although in a different situation, can learn from each other.

In the light of dual interpretation of individual documents the most important issue at the moment is privatisation. Under whose authority is this issue?

Entities! Clearly, entities! However, the state of BiH must regulate this issue by a "thin" framework, a law which includes three principles, in order to avoid problems which can be created between the entities. One of these principles excludes discrimination and this benefits all the people who lived in BiH before the war as well as those who are now refugees in the other entity. The other principle is transparency, in order to prevent flow of the money from privatisation into the pockets of individuals. The third principle is revision of the previous privatisation which was decided earlier, but did not obey these principles. When it comes to privatisation of companies that were owned by citizens of this state, you can do that in accordance with regulations of one or the other entity. However, all the other authorities, except for these three principles, are in the entities.

After the conferences in Bonn, Sintra, London and Luxembourg an impression was created that there have been some activities on revision of the Dayton Agreement and there is even mention of a Dayton 2. Is something like that possible?

The words like "revision of Dayton" and "Dayton 2" are propaganda. These conferences have not changed Dayton nor can they do that. For Dayton 2 you need to have people to accept it, and there is no such thing around here. On the other hand, the Peace Agreement is sometimes a matter of interpretation. The HR is given the right of interpretation, but we want all the signatories of the Agreement to participate.

Here we must distinguish meetings of the PIC, such as the one in Bonn, where local authorities present their opinions on certain problems and agree on the conclusions themselves. Totally different are conferences where the PIC Steering Board makes certain conclusions which are only binding for IC members! Off course, we put pressure on the authorities to implement those conclusions as we believe that they represent the best solution of a problem. After the Luxembourg Declaration, I made a statement in Banja Luka saying that it was only binding for us, who are members of the IC, and that any revision of the DA was out of question.

A major problem in the DA is the issue of war crime indictees and their arrest. However, the fact is that the cases that have taken place in Prijedor, starting from that of Simo Drljaca, and Dr. Kovacevic and including the most recent one of Vuckovic brothers, have turned this town into a "town of fear". Is that correct?

There have been similar cases in other places, too, such as Bijeljina and Vares. The problem here is that people in those places think that such things only happen to them. On the other hand, I need to say that the percentage of

Serb indictees is larger than that of Croat or Bosniak indictees. In order to establish a balance, local authorities must cooperate, which has not been the case with the Serb side. This can still change if the authorities start cooperating with the Hague Tribunal on the matter. The suspects must realise that they would be provided with a fair trial and that they will be released if they are proven not guilty. I also believe that, if some of the indictees fail to surrender or are not, eventually, arrested, then there is a danger of collective guilt concentrating in them. The IC does not want to arrest those by using force, that is the last means that the IC will always resort to, but rather to get them to surrender voluntarily or to be delivered to the Hague by the authorities, of course, with all necessary safety guarantees. This is the best way to avoid this collective fear that exists in certain places.

The United States recently gave up on arresting Radovan Karadzic and Ratko Mladic. What is this supposed to mean?

This has recently been denied by the U.S. Therefore, their position has not changed. My personal opinion, which is not the opinion of those in charge of implementing such plans and whom you are now referring to, which was published in the New York Times, is that the situation has not changed. Last year, Radovan Karadzic still had a lot of influence here and was protected by RS authorities. We know that he was one of the leaders here and that he acted behind the scenes. Not only was he protected, but he also conducted illegal business activities with a certain group of people. However, people in the RS are aware of that and the situation has changed in this regard, especially now, in a situation where we have more political pluralism and the environment around Karadzic is different, too. This is why I think that if there is an international unit planning to arrest Karadzic, this plan must be different now because the situation is different. The ultimate goal has remained the same, only the means of achieving it have changed. However, I say that this is my personal opinion, and if there are any such plans, I am not aware of those.

What would be your assessment of the current political engagement of the three key politicians in the RS, President Plavsic, Prime Minister Dodik and Momcilo Krajisnik?

The IC supports those politicians which implement the DA in the interest of people of this country. I have no personal feelings towards any particular politician in the RS. I tried to cooperate with Mr. Krajisnik in order to help the RS people, but this cooperation was not very successful. On the other side, we have a better cooperation with President Plavsic, Prime Minister Dodik and Mr. Zivko Radisic, they are working in the interest of their people and the progress that has been made in the last seven months is a lot stronger than that made in the last few years together. This is why we believe that political parties, such as the SDS and the Serb Radical Party, cannot really help restore the well-being of people in the RS. They can change though, and if, by some wonder, Momcilo Krajisnik starts to cooperate, he will be given our immediate support. However, wonders happen rarely.

Is it possible that the Kosovo crisis could transmit into the territory of BiH, i.e. into the two Bosnian entities?

This is a serious problem. And, as I always say, "if your neighbour's house is burning, you should always worry about your own house, especially if it has been made out of flammable material".

The only solution of the Kosovo issue is a peaceful solution. Albanians and Serbs need to live together there and need to establish a balanced authority that will make their co-existence possible. I think that President Milosevic made a big mistake by denying the autonomy of Kosovo back in 1989. However, it would also be a big mistake if we would support the independence of Kosovo now. I believe that there is a solution somewhere between these two ends. In the case of the latter, there will be a war there, with genocide and violence, too, which would certainly reflect in BiH.

RS sport teams are still not participating in European championships. Sports workers believe that sports issues should be the responsibility of entities, but, obviously, there are some problems here. Can those be resolved?

The issue of sports in BiH is not regulated in the DA. The issue is not a political one either, and it should be dealt with by sports associations. However, it is true that there are certain rules and regulations related to their international participation, similar to those of the international football organization (FIFA), for example. We have tried to get them to accept teams from the RS and the BH Federation for a certain period of time of two up to three years. And, we would always give an example of the United Kingdom, where there are more football associations. However, this idea has not been accepted. Therefore, an acceptable and practical solution needs to be reached with a lot of goodwill, based on which teams from both entities could participate at international competitions individually and jointly. This is what I, in my capacity as the High Representative, cannot impose, this is not within

my mandate. But, I can still help by talking to your associations, the Ministry of Sports...

A Media Commission has been established for BiH without any entity representatives sitting in it. Whom does it belong to and what is its media jurisdiction about?

The issue of media, i.e. the regulation of media, is the responsibility of entities. This is why we signed an MoU with the respective entities' authorities. In the BH TV reconstruction process, we offered to Mr. Krajsinik that the same MoU should be signed with him too. This is because we believe that the Serbs should also have the status of a constitutive nation in the BH Federation. One day, if SRT and the BH TV wish to establish a common channel or a TV station, they will be able to do so, which is not their obligation, but rather a possibility for the future. While this should be regulated through media legislation in both entities, these and similar issues are to be resolved by the Media Commission in this period of transition. This commission is now comprised of IC members, who will be replaced by local media experts in due time. The Commission will only work in this period of media reconstruction, and its main goal is to ensure that all media work in accordance with the Charter on Journalism, just as it is the case in all democratic countries. Those that comply with the rules will be granted licences to work.

Mr Westendorp, elections that are ahead of us can lead to a number of changes. What would be your message for citizens of the RS in this regard?

People who know a country best are people who live in it. We cannot understand you as much as you can, but we can help create mutual trust here. I wish to see this country with two powerful entities becoming a part of Europe in the interest of its people, but , also, in the interest of Europe, because we want to have a stable Europe. I believe that the forthcoming elections will be held in a fair and correct atmosphere and that the people here will realise that the elections represent an opportunity to change the current situation if they do not like it. The communist era in which one just had to vote for the ruling authorities is over. Things can be changed now! I want to see such changes taking place in this country. I want to see citizens of this country voting for those who work in their interest and giving a vote of confidence to those who believe that the RS, the BH Federation and BiH represent a family of free nations.

## **Return**

What happened to the Year of Return?

The year of return was a motto. When you have a certain product, and you want to sell it, you normally create a motto for it. Sometimes people "buy it". Unfortunately, this motto failed this year. Out of 50,000 returnees included in the UNHCR plans for this year, only 11,000 have so far returned. However, I hope that this number will increase until September, by the beginning of a new school year. Certain progress was visible earlier this year, with returns to Drvar. But this entire process then ceased due to the incidents which, I believe, were staged by "hard liners", and we are now to continue from the point which was there prior to the incidents.

We have to continue with returns for at least another two years, because it seems to me that after that time people will decide to stay, rather than to return. So instead of declaring 1998 the year of return, we should have declared "1998, 1999 and 2000 years of return".