Interview: Carlos Westendorp, High Representative in BiH”Carlos Westendorp reveals his opinion about the Bosnian politicians”

Krajisnik works against his people, Izetbegovic is a good politician, and my favourite is SELIM BESLAGIC!

I will not ask for the authority of a protectorate at the meeting in Bonn, but I will ask, and surely get, an extended mandate – I guaranteed Izetbegovic that the Law on Apartments would not leave anyone on the streets – Why I cannot agree with Silajdzic about the establishment of railway traffic – Even if Izetbegovic had accepted the Croatian proposal on special relations, the OHR and the International Community could not accept it – SFOR will secure the TV transmitters in RS until we are sure that Pale TV is normal.

Mr. Westendorp, these days, there is some talk about the possibility of a protectorate. It is speculated that the Bonn conference will take a step further towards a protectorate by giving you greater powers.

This is exaggerating, I do not ask for a protectorate, because it is too late to ask for a protectorate. Dayton gives the opportunity to the BiH authorities to decide for themselves. The International Community reconsidered in Dayton that BiH is a European country, and that it will be a prosperous democracy some day, so the Bosnians and Herzegovinians should decide about their fate themselves. It is too late to change such a model. Even if tried to be a protector, I am sure that I would have strong opposition in the International Community, because

the IC prefers the Dayton model. Therefore, a protectorate is out of the question.

Is there a possibility of a change in your mandate? Is it true that you will become the arbiter?

You see, if you read Dayton very carefully, Annex 10 gives the final interpretation of Dayton to the High Representative. Annex 10 even gives me the possibility to interpret my own authorities and powers. Therefore I do not need anything new, in the legal sense. But, there will be some practical changes. I will give you some examples. If the sides do not agree about some decision, for example the passports, the licence plates, the flag, in the future, I will stop this process of infinite discussions. In the future, it would look like this: I will give them, for example, a term to bring a certain decision, that is, to agree about some decision. If they do not, I will tell them not to worry, that I will decide for them. And I will decide.

What will be the reactions of the BiH authorities to the wider use of your powers in the process of deciding?

YES, I AM GOING TO BE THE ARBITER

Believe me, I think that no one would object. Because it will be my decision and not theirs, so they will be released from part of the responsibility. But I will also have to implement such decisions. And if the authorities show resistance towards the implementation of these decisions, and if they block the Dayton systematically, I will ask for the resignation of those who are not co-operative. Those are more or less the authorities that I have. If they want to give me this in writing at the Bonn conference, it would be the best, and if not, I am going to do it anyway.

Everything you have said so far indicates certain changes, if not theoretically then at least in the practical part of your mandate. You were very picturesque, describing your future authorities, but still, it sounds to me like the role of an arbiter?

Well then, if you like, you may call it a friendly arbiter.

Although you said that Dayton already gave you these authorities, you have still not implemented them so far. What initiative caused these changes?

This simply came from careful observation and analysis of the situation. I have been here since June. It is a fact that many steps forward have been made in the past six months. And we are slowly heading towards Dayton implementation. But the IC will not be here forever. And we have to hurry as much as we can. We have been discussing these passports and citizenship for the past two years. It cannot go on like that any longer. The Federation is co-operative in this case, but the RS is not. Therefore, we have to consolidate the situation in 1998. Also the members of the IC demand of me to be more effective. So in order to be more effective, I need more powers in deciding. I took another look at Dayton, and it is obvious that Dayton covered more powers for my post than I use in practice. Since the sides in BiH cannot agree about many things that obstruct the Dayton implementation, I have the right to pass decisions important for the functioning of the BiH state. I would like BiH authorities to pass these decisions, but if they do not want to, then it has to be me.

The obstructions in the implementation of Dayton come from the RS. Mr. Krajisnik is especially practised in refusing to accept the things which it is obvious will have to be accepted some day. Have you ever asked him why is he so 'difficult' in negotiations?

The obstructions are coming from the minority authorities in RS, but the problem is that this minority rules the RS. And their ideology is based on the opinion that they have a special interpretation of Dayton. According to their interpretation, they are very close to being independent. They believe that the entities are more or less the sovereign states, and that the RS only has to maintain very weak joint

BiH institutions. It is a fact that Dayton was not created for a classic unitary state. This is a state with two autonomous entities. However, this autonomy does not mean independence. It is contrary to Dayton to interpret it as independence. This ideology is the main cause of the obstructions.

NATO WILL STAY FOR AT LEAST THREE YEARS

The Sintra articles were not fulfilled completely and the Bonn conference is coming up.
Some conclusions were realised and some not. However the Sintra experience and the way of working with specific deadlines of the realisation was a good model.

What will be the main focus of the Bonn conference.

It will be the full spectrum of issues. The war in this country was a horrible one. Therefore, you will have to overcome the psychological consequences of the war, the ethnic cleansing… Democratisation is necessary. In other European countries, there was enough time for a normal transition from the old Communist regime towards democratisation. And you have leapt a whole time period. And, even more, the war regressed you. Therefore, there are many obstacles towards the democratisation process. It is essentially the lack of a really structured civilian society. The lack of coexistence between religious communities. The presence of mono-ethnic parties, which do not really contribute to the pluralistic system. There is a democratic system in the sense that there are democratic elections, but the result of the elections is that they give the advantage to one ethnic group over another. This is only a continuation of the war with other means. So in order to develop democratisation, it is necessary to implant more pluralism in the political parties. It is necessary to encourage the development of multi-ethnic parties. It will probably be necessary to change the electoral law. The Bonn conference will also discuss this. The media are necessary for free and fair elections. But it is also necessary to implant

some order and professional principles in this system too. As in some other democracies, there will be standards, guaranteed by the law, which will have to be respected. We will also discuss the democratisation of the police, the development of the joint institutions, and not only the CoM as has been the case so far.

For the realisation of all the matters you have mentioned, it is necessary, according to some assessments, that NATO remain in Bosnia for at least 10 years.

I do not think that such a long time is necessary. Of course, it is impossible that the Army leaves BiH in June, it is too soon.

For how long then, in your assessment, would it be necessary for NATO to stay in BiH?

I do not know, but not 10 years. Three, four, five years, maximum.

There is also a lot of talk about the Croatian proposal on special relations with BiH, these days. This proposal is similar to the Serbian proposal for special relations with the RS. What is your general opinion about these proposals coming from Serbia and Croatia. Does it not show that, despite Dayton, Serbia and Croatia have still not discarded their territorial ambitions towards BiH?

It could be explained in this way. The contents of the proposals coming from the Serbian and Croatian side are supporting this impression. We believe that the relations with Croatia and Serbia are possible only if they accord with the Dayton agreement. The entities, namely, do not have the competency for foreign policy relations. And the proposal on confederation with the Federation is simply not acceptable, because it is opposite Dayton. This proposal is illegal. It is possible that BiH has special relations with any country, even a confederation. The union of states is also possible. If BiH

wants an union with Romania (although it is less possible in reality), and if the people accept it in a referendum, it is possible. But the Federation, and the RS do not have that possibility. This right belongs only to the State of BiH. The competence of special relations is possible only on the level of the entities. But inter-state relations belong to BiH only. The agreements on special relations already exist, but three or four articles must be changed because they do not accord with Dayton.

NO ONE WILL GO ON THE STREET

After the Bonn conference, after you are given wider authorities, will you have the possibility of saying 'No' to proposals like this Croatian one?
I already said 'No'.

And will you have the final word?

Absolutely yes. Even if this Croatian proposal was adopted, it would not have any legitimacy in foreign liaisons. None of the international organisations would have accepted it. So I am at peace as far as it is concerned. I, personally, do not have to do anything in regard to this. This Croatian proposal is simply unnatural.

The Law on Housing stirred up emotions in the public mind. The matter of housing 100,000 people is under question. If we consider that the refugees from Srebrenica will start to think again where to accommodate themselves, and that they will not have the possibility to return to their homes, this proposal looks inhumane. Why did you insist that the Federation should adopt this law firstly? Why there is no discussions in the RS about it?

The people in someone else's apartments do not have reason to be afraid, because this law will not jeopardise them. No one will be evicted from an apartment if there is no alternative accommodation for him. And there are a lot of alternative

apartments, especially in Sarajevo. We have information that many people have two apartments. To have two apartments is not legal or logical. And as for the RS, we apply the same pressure on RS as well. The difference is that in the Federation has the Parliament to decide about it, and the RS still has no Parliament. After the elections, the RS will have to adopt the same law. And then the possibilities will be created for everyone to return to their own home.

The CAFAO report unexpectedly stirred up the Bosnian political leadership. Mr. Silajdzic stated that this report only undermines the unity of BiH. How do you interpret these reactions?

In one of the reports, Mr. Silajdzic was mentioned as the boss of a certain director in the Federal Reserves Directorate. He says: I give my report to my Minister Silajdzic. But the report is related to the previous period when there were deviations regarding the funds. Probably, it was not a happy occasion for Mr. Silajdzic to mention his name in the report, but CAFAO report does not condemn anyone. They just recorded what people told them. I am a little bit worried because of the possible division of Bosnia over this report, when it comes to the funds. I expected the authorities to say: 'Something is wrong around here, some strange activities are taking place, we have to fight against it. We have to fight against the corruption.' This is the reaction I expected from the authorities. In some way, this CAFAO matter is badly focused. I would have preferred if the reaction from Bosniak authorities was positive. The Minister of Finance, Mr Bilandzija, for example, reacted very positively. He was also the one who told CAFAO to make this report.

WHY SILAJDZIC IS WRONG

Does the Office intend any further steps regarding this report?

This country really needs a healthy economy and openness in

doing business with public funds. This country needs reconstruction. The IC, when it sees that the money from the international donations is ending up in private pockets, will say: 'Why do you ask for the money from international funds, when your budget is empty because of illegal activities?' I am worried that the irresponsibility and the deviations in the local budget will affect the aid from the International Community. I am also worried because some institutions, inherited from the Republic of BiH still exist. For example the Federal Reserves Directorate Sarajevo. It should have disappeared long ago. There are also some old institutions from 'Herceg Bosna', which officially does not exist, and which should also disappear.

Fine, but you still did not tell me, do you plan to take any specific steps?

Well, the Bonn conference will suggest a term for abolishing these illegal institutions. And if it is not respected, we will implement a system of sanctions.

Regardless of the fact that quite lot of money was invested in BH railways, the railway traffic is still not running. We all know that without the development of the railways, there can be no development of BH industry as well. What obstructs the normal functioning of BH railways?

The Memorandum Of Understanding must be signed between different companies. However, this time the railways are obstructed by Minister Silajdzic. The two of us have a friendly exchange of letters in which we completely differ. But, I hope we will agree.

What is it actually about?

It is about a misinterpretation of Dayton. If you read Dayton, you will see that the railways are in the charge of the entity authorities, and not the state. The state has the competency to regulate the traffic and determine tariffs. The same

applies to the airports. But Mr. Silajdzic believes that the company 'BH Railways', an inheritance of the old Communist regime, should have the competency on the level of the state. This is wrong. This company is in the ownership of the whole BH and it should be restructured. So this would be the difference between Mr. Silajdzic and me. In this case, the RS is co-operative, but Mr. Silajdzic does not want to sign it. That is why the railway is still not working.

WHY DO I LIKE BESLAGIC

Many people were surprised at your determination to make decent the RS media. But we were all expecting that a solution to the problem at SRNA would be reached, and transmission would soon re-commence. This, however did not happen.
We are still very actively negotiating. They have accepted our conditions of reconstructing the Steering Board, and they signed that they would accept the standards of professional journalism.

So what then is the problem?

They are demanding from us that before anything else, SFOR returns the transmitters. We cannot agree with that. SFOR will withdraw from the transmitters at the moment we become certain that everything will function properly. We cannot afford to go back to the old situation, and to have no control over what happens there. So currently, the Banja Luka studio is transmitting the programme for the whole territory. You remember that at one time the equipment for Velika Zepa was stolen by 'somebody'.

Are you thinking about an unknown group of citizens!?

Yes, an unknown group of citizens. (laughs). We had to spend a lot of money to secure the RS signal. We had to ensure a satellite connection. But, we are also instructing Banja Luka TV that they have to leave the President's palace. It is not fair for the studio to be there. However, they have already

found a place for the studio in the museum. Pale has the possibility of sending programmes to Banja Luka to be transmitted by the BL studio as long as their programmes satisfy minimum professional standards. Banja Luka, more or less, follows our instructions and requests for democracy. Everything is relative. Anyway, that is the situation. We are negotiating, but we do not agree in principle about who will control the transmitters.

Mr. Westendorp, a lot of patience is necessary for negotiating with BiH politicians. Have you ever showed impatience? Have you ever used a sharp tone in your talks?

Well no, I am really patient. As you can see I am a young man and I have a lot of energy. I'm joking… I think I am very patient. Here, you really have to be patient in order to negotiate at all. In many situations, patience pays. Negotiation is easier in the Federation than in the RS, for the leadership in Pale obstruct the processes more. But it is not always easy in the Federation. But, a solution is reached anyway. An example is the Housing Law. The Government agreed to modify it with our guarantee that nobody will end up on the streets.

From your last six months of negotiating experience, can you tell us who are your favourite politicians on the BiH scene?

Sadly, there are very few of them. But I enjoyed talking with Mrs. Svjetlana Siljegovic, the Minister of Information in the RS. She is very friendly. Krajisnik is in some ways a very good politician. But, we two do not agree that much. I do not think that he is serving the interests of his people, but I personally have nothing against him. You know, I like people who want what is good for the nation. Such politicians do exist in this country. For example, I like, as a politician, Mr. Izetbegovic. I also have very good co-operation with Mr. Zubak. But, I have to tell you something: I like politicians who are really pluralists, who accept the ideas of others, and

do not monopolise power. That is why my favourite politician is the Mayor of Tuzla, Mr. Beslagic.