Interview: Wolfgang Petritsch, the High Representative for BiH, at the end of his three year "rule" in the Balkans: "The RS can disappear if it does not accept European Standards"

After his recent visit to Belgrade, and at the beginning of an interview with Nedeljni Telegraf, the International Community's High Representative for BiH, Wolfgang Petritsch, said the following about the constitutional reforms announced to take place in BiH: "These are the most constructive talks that I had so far in Belgrade. From both, President Kostunica and Prime Minister Djindjic, I received full support for the sovereignty and integrity of BiH as well as for reforms necessary for its accelerated approach to European structures. I spoke about the constitutional reform that is supposed to take place in BiH and cooperation related to the return of refugees. The idea on financial support of the FRY and Serbian Government for return of Serb refugees, especially to the Federation, was also welcomed.

Constitutional changes will ensure full equality of all three peoples. That means that equality of Croats and Bosniacs will be established in the RS as well as equality of the Serbs in the Federation with Bosniacs and Croats. Return to a normal stae includes basic human rights such as the equality of all three peoples in both Entities.

Nedeljni Telegraf: Is RS going to keep its name?

WP: That question is not an essential one right now. The most important thing is to achieve essential improvement for the citizens of RS and these are not Serbs only, as well as to reach equality in the Federation. Only after that, issues such as the name, anthems, flags, symbols of both Entities, will be resolved through a constructive compromise of the three peoples.

Nedeljni Telegraf: That means that there is chance that all of that may be changed?

WP: I would say that a compromise and agreement of all three peoples living in BiH will be reached.

Nedeljni Telegraf: After the changes of the constitution, the RS would be completely different from the way it is today. Can you name some of the changes?

WP: The decision of the BiH Constitutional Court means that fair representation has to exist, plus the protection of vital national interests and mechanisms to protect those interests. It is now up to the politicians of both Entities to find a solution for this model. Anyhow, the decision will reflect on the Government, the Constitutional Court, it will also be noticeable in public administration, etc. By that, the RS, the Federation and the whole of BiH will get closer to European standards.

Nedeljni Telegraf: How many people will get new rights in one or the other Entity – Serbs in the Federation and others in the RS?

WP: Constitutional reform will have a very good effect on the return of refugees. Last year, we had a very good trend in the return process. This reform will enable them to fully realize their civic and human rights. As to the numbers, we cannot say that all refugees will return. I want to emphasize that this

arrangement in the RS will also have a good influence on Kosovo. Through constitutional changes in BiH, a standard of basic human rights will be established and this will also not be avoidable in Kosovo. At the same time, standards that will be valid throughout this region will de defined, not on a case-by-case basis – which only led to conflicts.

Nedeljni Telegraf: Does it mean that Kosovo might be defined through the autonomy of Albanians and Serbs in Kosovo?

WP: I would not speculate on any concrete solution for Kosovo, but I believe that solutions found in BiH, which protect and ensure the rights of all citizens, might be useful.

Nedeljni Telegraf: What is your comment on Djindjic's statement that the arrest of General Ratko Mladic may lead to a civil war?

WP: I believe that refugees from Bosnia, currently living in Serbia, have realized that their leaders, either Karadzic or Mladic, led them to catastrophe. Regardless of where they live right now, either Bosnia or Serbia, I do not believe that they would make barricades. I think that Djindjic, whom I respect very much, made an exaggerated statement. In our talks, Djindjic stressed that all provisions of the Dayton Peace Agreement will be fulfilled, including active participation in the extradition of the war crimes indictees.

Nedeljni Telegraf: Did the Serbian Government make any concrete promises?

WP: A discussion with the Interior Minister, Mihajlovic, made a strong impression on me. He sees clearly what is necessary, when it comes to cooperation with the ICTY and which indictees, with assistance from Serbia, should be sent to The Hague. That is a group of those indicted with Milosevic, and on the other hand, there is the Vukovar trio, as well as Karadzic and Mladic, wherever they are. I understood that Mihajlovic sees himself as responsible for Mladic and

Karadzic, if they are in Serbia.

Nedeljni Telegraf: What is the approach of the RS leadership? Do they support or obstruct the extradition of the indictees from the RS?

WP: The RS leadership is still too far from constructive and concrete cooperation with the international community but I still have the hope that something will change drastically in the following weeks.

Nedeljni Telegraf: There were some indications from The Hague that the role of Alija Izetbegovic and his eventual responsibility would be questioned, but now – there is nothing about that.

WP: I have no new information about that. The whole structure of the conflict will be looked into ant that means that all sides, including Bosniacs, will be thoroughly investigated.

Nedeljni Telegraf: It is being suggested very often, in different ways, to the RS that it might be eliminated. Are there any grounds for that?

WP: Such views are grounded only in a case where the RS is not willing to accept European standards for human rights and a state with the rule of law and if it does not provide same rights to non Serbs. Only then, if that is not fulfilled, the RS would be endangered. From the outside, the International Community will always be on the side of what was agreed but will not tolerate apartheid or discrimination taking place here.

Nedeljni Telegraf: If Milosevic is sentenced for genocide in Bosnia, then all the leaders of the RS will be accused of the same thing. Would then, the RS survival become an issue?

WP: This is a very serious question that has to be studied with adequate attention. If it is about legal aspects, it is

not possible to give a precise answer at this moment. As to political aspects, the RS already has the possibility to show clearly that it is not a genocidal creation but an Entity which fully applies European standards of a state with the rule of law and human rights. Basically, lots of effort has to be invested in building a state with the rule of law so that the question, such as the one you raised, loses importance. If all non Serb citizens have all rights in the RS, then this question would be less important then if discrimination continues.

Nedeljni Telegraf: Is Bosnia a country in which a European base for Islamic terrorism is being created?

WP: No. The BiH Federation Government did a good thing when it checked every suspect. For me, it is another proof that the international community, together with the BiH authorities, monitors this situation very thoroughly. One could not conclude that a terrorist network exists in BiH now.

Nedeljni Telegraf: Americans are not that delicate. They arrest suspects as soon as they get any signal.

WP: I understand their concern given that their representatives who work abroad are exposed to terrorism. In that sense, they try to establish good cooperation with all governments. However, I do believe that their caution in dealing with terrorism will not lead to any sort of uncontrolled escalation of the situation. Due to the international presence in BiH this country enjoys additional support in terms of security and that is why BiH will not turn into a region that harbours terrorists.

Nedeljni Telegraf: What is your view on criminal connections that exist between certain structures in BiH and in the FRY? How do you comment on the Delimustafic case?

WP: The Delimustafic case shows that international crime always has a multi-ethnic character. Only a state which

respects the rule of law can defeat regional crime. The main problem is if police forces apply only ethnic criteria when dealing with crime. In that case, the police forces are neither professional nor objective in their approach. Also, if judges are like that, then you can say goodbye to law and order. It always comes down to the judiciary and to professional police forces, and in BiH both are still very weak. That is why I want to stress the importance of the judiciary reform and the reform of the police forces as my mandate in BiH comes to an end. I am very happy that I managed to persuade the EU to take over police reform from the UN. We do not need BiH as a state created in Dayton, but as a European state which respects the rule of law.

Nedeljni Telegraf: In a few months you are leaving the Balkans. Looking back, how do you see the time you have spent here?

WP: I differentiate the period before October 5th when Milosevic was ousted and the period after the "revolution". I must say that after the Kosovo crisis I was not so sure that the Milosevic regime would reach its end so fast nor was I a big optimist regarding the future of the region. That has changed now. I do believe that a historic turnabout happened here and it is important for the entire Balkans. Two facts make my work in BiH easier: democratic changes in Croatia and the ouster of Milosevic. With these two facts BiH has been given a fair chance to develop and to change itself, to become a state capable of taking responsibility. And this was not possible during Tudjman and Milosevic.

Nedeljni Telegraf: You have been in Bosnia for three years. Do you feel like a traditional Austrian ruler, just like your predecessors?

WP: As a historian, I have always tried very hard to assess my work from that point of view. I am not a representative of Austria in BiH as Benjamin Kalay was. For me it is fascinating

that I have the opportunity to assess the Austrian historical situation from positions of a left-orientated critic. It comes as a surprise that the Austro-Hungarian era is seen as something very positive, as a first Europeanization of Bosnia. It is pure coincidence that one of the protagonists of the second Europeanization is an Austrian.

On Djindjic and Kostunica

Nedeljni Telegraf: What do you think about the differences and similarities between Djindjic and Kostunica?

WP: From the outside, Djindjic and Kostunica represent two main streams in Serb society. Kostunica seems to represent a traditionalist, conservative stream which does not question Serb nationalism but puts strong emphasis on national identity, and on the other hand, Djindjic represents modernism turned towards the future. He is trying to find a hookup to social developments in Europe. The two of them are representatives of typical characters in a society in transition, on its way to modernization. I believe that both of them will develop progressive forces that would lead Yugoslavia forward.

Karadzic is in the vicinity of Foca and will be arrested for sure

Nedeljni Telegraf: What did the SFOR action in Celebici represent?

WP: Although the SFOR action in Celebici unfortunately did not bear fruit it demonstrated that the international troops and the International Community in BiH have the serious intention to arrest indicted war criminals, especially Karadzic and Mladic.

Nedeljni Telegraf: Does it mean that Karadzic is currently in the Srbinje/Foca region?

WP: Right now, I cannot talk about the details of the operation nor can I speculate, but it is quite clear that the aim of the operation was to arrest Karadzic. Therefore, if SFOR launched the operation in Srbinje/Foca because it has intelligence on his whereabouts then Karadzic really is in this region.

Nedeljni Telegraf: Was it a real operation or just an exercise?

WP: The purpose of the operation was to arrest Karadzic and by no means only a demonstration of force.

Nedeljni Telegraf: There are some rumors that during your visit to Belgrade a contract between BiH, Croatia, Serbia and Montenegro was signed. According to this contract, SFOR troops are allowed to cross the borders during the operation aimed at arresting indicted war criminals.

WP: I cannot say anything about that.

Nedeljni Telegraf: You cannot say or you do not know anything about it?

WP: I do not want to say anything about that.

Nedeljni Telegraf: Now you are in Brussels. What are the reactions of the International Community?

WP: The news about the failure of the SFOR operation has been received here with great disappointment. However, from the talks that I have had here it is very clear that the IC counts on success and that the SFOR troops will keep working in that direction until the task is completed.

Nedeljni Telegraf: The RS Prime Minister criticized the SFOR operation because the RS authorities had not been informed

about it. What is your comment on that?

WP: If the RS authorities fulfilled the tasks they committed themselves to, then actions like this one would not be necessary. Ivanic's criticism is completely inappropriate. The RS Government finally has to fulfill its obligation, that is, to become actively involved in arresting indicted war criminals who live on RS territory, that is, to arrest them.

Nedeljni Telegraf: How do you comment on the fact that there was no reaction by local population?

WP: I think that people want to get rid of the war-crimes burden and take part in economic reconstruction. It is a sign that Serbs want to break the connection with Karadzic and other indicted war criminals.

Nedeljni Telegraf: You are making preparations for constitutional changes in BiH. Can actions like the one in Celebici jeapordise these constitutional changes?

WP: No. Those are different things. The constitutional changes have to be implemented in a joint action of representatives of all three national communities in BiH. Today's operation has to clean up the business from the past and makes sure that people can live together.

Nedeljni Telegraf: Was this a multi-lateral operation or strictly an SFOR operation?

WP: The SFOR Commander told me that this had been a multi-lateral operation in which troops from several countries took part.

Nedeljni Telegraf: There is some speculation here that the end of March is the final deadline to arrest Karadzic and Mladic.

WP: That is nothing but speculation. There is no deadline. It should happen as soon as possible, but the most important thing is that they are arrested.

I have been thinking about testifying in The Hague

Nedeljni Telegraf: Do you follow the Milosevic trial?

WP: I cannot follow it thoroughly because of my job. Basically, I think that it is very important that the trial is fair and transparent. The indictee has a chance to present his version of the entire tragedy.

Nedeljni Telegraf: Milosevic is not an easy opponent to Carla Del Ponte?

WP: My first impression is that Milosevic takes advantage of the democracy that is given to indictees, that is a possibility that he would not give to his political opponents. This is going to be a very long process and an important contribution to the final explanation of the Yugoslav tragedy. That also includes Milosevic's personal view on this whole tragedy which, of course, many victims find scandalous. However, his view is important in order to get the whole picture of the events which took place in the former Yugoslavia.

Nedeljni Telegraf: Milosevic said he would invite the whole team of people who took part in the Rambouillet talks to testify before the ICTY. Have you received a summons? Would you agree to testify before the ICTY?

WP: I have not received it officially. I know that both sides – the prosecution and Milosevic – think that maybe I should testify. If I receive a summons, then I will decide on it.

Nedeljni Telegraf: Are you ready to show up before the ICTY?

WP: I would have to see exactly what my contribution to clarification of events in the former Yugoslavia would be, and then I will decide. We shall see if it is going to make any

sense.