

Interview with Ante Jelavic: Prosecution is passing judgment in the rigged process

The interview was conducted by Zoran Sagolj in the HDZ's HQ in Mostar, one day before the hearing. Jelavic is determined to show up before the court and defend himself against the charges.

"I never had doubts", says Jelavic, "whether to appear before the court, although I am a law abiding person, I cannot accept this sort of judicial system in the atmosphere of the darkest neocolonial protectorate in which one man is the judge, prosecutor, executioner and juror. It is best shown in the latest decision of the High Representative on the delegation of the jurisdiction in the cases of the self-rule and the "Hercegovacka Banka". I will show up as a BiH citizen, because I am of opinion that this is a clear case of a politically rigged process by an incompetent local Court in its worst shape".

Q: Do you expect to end up in custody on Wednesday?

A: I expect nothing and I do not pressure myself, although anything can happen.

Q: Federation Minister of Police, Muhamed Besic, recently said, whilst being a guest on a TV show of the BiH TV, that he would have arrested you had he known that you were going to be in Sarajevo?

A: That statement says a lot about Mr. Besic, a man who was one of the most radical persecutors of the Croats during the

Communist times and one of the creators of the politically rigged persecutions in the areas of Western Herzegovina, Tomislavgrad and Livno, so he has a lot of relevant experience.

Q: Was your decision to comply with the summons influenced by the judge Kamenica's threat who said that you could be summoned by force?

A: No, that is irrelevant. I will show up because I am a legalist and I recognize institutions, the judicial one included, regardless of the fact that the court in this case has no jurisdiction and that this is a clear case of a politically rigged process, which is practically an attack on me and my colleagues, on institutions of the BiH Croats and the HNS and on the legitimate political will. According to information I have, it is tendentious, unprofessional and even genocide-like to try and accuse us of undermining the Constitutional arrangement of the State and the Federation and endangering of the territorial integrity and defense capabilities. Besides, how can you accuse a man of these acts, who, whilst officiating the position of the Federation Minister of Defense in the midst of the Croat-Bosniak conflict, united their structures into a joint defense system of the Federation and who raised an initiative of giving the Army a state dimension, which is drafted in the program document of my political party? How can I be charged with undermining of the defense capabilities? How can I be charged with endangering of the territorial integrity of the Federation and the State when I supported the constituent status of the peoples in whole of BiH, let alone when I raised initiatives, whilst being a member of the BiH Presidency, on strengthening of the State institutions, of the central Government from three to six ministries, establishing of the Ministry for Human Rights, creation of a united Border Service, return to the Republic of Srpska? If the creation of the HNS and its decisions are endangering of the territorial

integrity, then it is a clear case of a politically rigged process.

Q: You and your colleagues always say that this is a politically rigged process. Who is, in your view, pulling the strings? Is it the judiciary, the Alliance or Wolfgang Petritsch?

A: If we start from the position that BiH is indeed a protectorate, a Petritsch's protectorate, in which he has a crucial influence in the judiciary, then probably he has a crucial influence in this politically rigged process, as do a part of the International Administration, as well as a part of the Alliance which sees, in me and my associates, the main obstacle in realization of a civil state, in another words a division of the state to two parts with the Serb and Bosniak majorities and the Croats as a national minority. Some reliable information say that there were a lot resistance in the Federation MoI to launch a request for investigation, there was resistance within a part of the IC, but the OHR and UN had a final say to launch the investigation, regardless of the fact that there is no arguments and facts, they decided to go through with it.

Q: Some people say that you are benefiting from all of this, because it makes you a martyr among the BiH Croats, your rating is getting higher.

A: I think that those claims are ridiculous. I never wanted to gain popularity this way. Anyway, the recent research, even the one ordered by the State Department and conducted by the Split-based "Puls" agency, show that my popularity, and the popularity of my colleagues, is very high.

Q: Are you on the list of the 30 BiH Croats Carla del Ponte wants to interrogate?

A: I have not thought about it, but I would not be surprised if I were on the list. I am not going to run away even if I am

summoned by the ICTY, I am ready to comply. My military career is no secret, I stay behind everything I have had done.

Q: Does this mean that you suggest that your colleagues have been mentioned in The Hague request to comply and talk to The Hague? Do you have an information as to how they would react?

A: My standpoint towards the ICTY is clear, I support a full cooperation, I see the Tribunal as a place where an individual responsibility should be determined and sanctioned, but based on facts. I cannot accept and I will be its greatest opponent, if they try to use The Hague to incriminate the Homeland war and to show that the BiH Croats were in function of the aggression of the Republic of Croatia as some sort of quislings in their own country. That is the line we cannot cross. I would leave it to any man to personally decide, if there is an indictment, whether to show up before the court.

Q: Can one expect a radicalization of the situation after these events, political rebellion among the BiH Croats and how would it influence the situation in Croatia?

A: It is certain that the persecution in Sarajevo and starting of The Hague issues would influence the events on the political stage in BiH. It is hard to judge, at this moment, as to what extent it will lead toward the radicalization of the situation.

However, it can be crucial for the radicalization of the situation and if it takes place, probably it might influence the Croatian political scene.

Q: The new Election Law has been passed recently, by which they returned to the solutions from 1998. The HDZ and the party around it judge it as its victory, although the sanctions imposed on your party are still in force?

A: I do not see it this way. I think that one has to be cautious when he judges the Election Law. Still, we succeeded

to achieve that our people elect their representatives. In order that the Croats elect a true and trustworthy President in the Presidency, they will have to do it by a sort of referendum, and not by the election engineering or by purchase of 100 000 Muslim votes.

I have to say openly that the most important thing is that these solutions are bringing us back to the position from 1998 and it is absurd that the Alliance Authority is accepting them and it shows that it is illegal and illegitimate. And we, who have been removed from the political life, from state institutions, who have been charged with crimes and persecuted only because the Constitutional Court concluded that my appeal is not valid, were warning about these things.

Q: What is the essence of your disagreement with the High Representative Petritsch?

A: "I think that there were no arguments for Mr. Petritsch for any confrontations (with me) and getting even with me. For the first time I want to go public about our last meeting, which was held before the session of the Constitutional Court regarding my appeal on the election rules from the beginning of the year and prior to his departure to Brussels. He told me that he had nothing against me, that I was a moderate man and politician, but he had asked me to send a letter to the BiH public and accept any ruling of the Constitutional Court regarding the election rules and regulations. I did send a letter, in which I clearly wanted to say that I was supportive of any decision under which every constituent community, people, could elect its own representatives, and that I could not accept the Constitutional Court's decision which would allow the Bosniak electorate to elect our representatives. I only wanted the same rights that the Bosniaks and Serbs have. From this time distance, had I done it then, I think you know what position I would have found myself in. I think that there was not a confrontation between us then, but instead he was officiating the function and he was forced, others did not

give him room to do anything else but to take that course. I think that is the key problem”.

Q: The International Community, according to a recently published plan, wants to secure half a billion Dollars worth of American and German investments in the Herzegovinian economy and thus deprive the HDZ of their former funding sources.

A: I will be open and say that it was an ordered article published in Globus and the weekly's Editor-in-Chief only signed it. Speaking of investments, there is already German, Swiss and American capital in Aluminijum now. As for the other company mentioned – Eronet, Deutsche Telekom, through Hrvatski Telekom, has been interested in entering its ownership structure for a few years now because the question of who will be granted the third GSM operator concession is a very important one. This is about an attempt of some people, a part of the Croats in the Alliance, who will not accept either Lagumdžija's SDP or Zubak's NHI, who are taking this last opportunity to get out of quicksand. This is an attempt of an economic interest group to get out, and via the HDZ, practically forgetting what has been done in the deal with the International Community over the last year.