

# Transcript of the Press Conference in Mostar

	Spokesperson	Topic
OHR	Avis Benes	<ul style="list-style-type: none"><li>• HR to address brief NATO and the EU</li><li>• PLIP Statistics</li><li>• OHR [S] warns that breaking of official seal is a criminal act</li><li>• OHR [S] welcomes agreement on the garbage collection in Mostar</li></ul>
OSCE	Richard Medic	<ul style="list-style-type: none"><li>• Education Campaign</li></ul>
SFOR	Maj. Fix	<ul style="list-style-type: none"><li>• Bountiful harvests for SFOR</li></ul>

## Avis Benes – OHR

Good afternoon ladies and gentlemen and thank you for coming to the press conference of the international organizations seated in Mostar.

Today, I have a couple of issues on behalf of the OHR – some reminders, clarifications and two short statement on behalf of the Office.

Firstly, a reminder of the fact that the High Representative, Paddy Ashdown, is in Brussels today to brief NATO and the EU on the reform process which is now underway in Bosnia and Herzegovina, and on the Orao affair, which is preoccupying media not only in BIH but also beyond. You have received a related press release yesterday. In case you have not, please

contact our office. The High Representative will, together with COMSFOR, General William Ward, address a joint meeting of the North Atlantic Council and the EU's security and foreign affairs committee. He will also meet the EU Commissioner for Foreign Relations Chris Patten, as well as NATO Secretary-General George Robertson. As for this issue, the position of the OHR and the High Representative is that there is no reason why the recent elections results should stop the reform process and that his job will be to work with the new government to ensure that these reforms are implemented. On the Orao affair, the High Representative thinks that this is potentially the most serious situation BiH is facing since the end of the war. As he emphasized before and let me say it once again, he requests that the RS authorities do two things. First, that they carry out a full and public investigation into the affair, and involve the BiH authorities in this investigation. Second, the OHR expects to see the RS authorities work with us to put in place the systems to prevent this from ever happening again. This will mean reforming the way in which arms exports are controlled.

Second item is also a reminder of yesterday's press releases issued by all agencies involved in the property law implementation regarding the recent statistics as of September 2002. As you could see, the overall implementation ratio reached 66 percent in the Federation, which represents a rise of 4 percent since August. In the RS, 56 percent of properties were repossessed, which represents a rise of 2 percent. In concrete figures, out of a total of more than 250,000 claims in the whole of BiH, nearly 100 000 have still to be solved. These statistics are available on the website; it will be published in some newspapers tomorrow and is of course available in our office. As for our area of responsibility, let me give you few figures. As far as eastern RS is concerned, we can express our satisfaction with the fact that Ljubinje municipality has completed the process of return of property. Other eastern RS municipalities are mainly above the

RS average. In the Herzegovina-Neretva Canton, we would like to say with a special satisfaction that Prozor-Rama municipality has three cases left in order to complete the process, or 98%. We expect this process to be completed as soon as possible. It is also worth mentioning that Stolac has reached over 90%. As for Mostar municipalities, let me emphasize that Mostar municipalities South and West are approaching the Federation average. As you may know, Mostar municipalities were in general behind the Federation average for a while. However, as I have just said, these two municipalities are approaching the Federation average. Unfortunately, Mostar municipalities North, Old Town, South-East and South-West are still behind to a certain extent but one can say that the whole process of implementation is ongoing.

My next point is also related to the repossession of property and it is a warning on behalf of the International Community, OHR, OSCE and UNHCR. We are concerned by recent acts of obstruction of property law implementation in Mostar. These cases involve temporary occupants who, after being evicted or otherwise vacating an apartment or house, illegally break the official seal on the property and re-enter. In a smaller number of cases, unknown perpetrators have broken the seals. The OHR would like to remind the public – and the responsible authorities – that breaking an official seal is considered a criminal act under the FBiH Criminal Code, punishable by imprisonment from 3 months to three years. Whoever reoccupies a vacated house or apartment could be further charged with “Prevention of Return,” also under the FBiH Criminal Code. The IC will continue to closely monitor implementation of the property laws, and will expect appropriate legal action is taken by the responsible authorities in any future incidents of this nature.

For a change, my next point is a positive one. The OHR South welcomes that the agreement on the garbage

collection in Mostar has finally been achieved, thanks to the reasonable and constructive approach by all factors. This shows how citizens of Mostar can benefit when a proper coordination of political and other factors in the City is being implemented without additional politization. OHR South expects that this approach will continue in the future in regard to other unsolved issues in the City.

One more information – half an hour ago the Independent Judicial Commission has issued a press release, informing the public that the report on access to legal information was published. Copy of this press release is available. This project is a part of the International Community's strategy for improvement of quality and efficiency of the judicial system. This whole report is available on the OHR website as well.

### **Richard Medic – OSCE**

Good morning. Just one point from the OSCE today regarding the launch of our education campaign on Monday.

The 28 October launch of the Education Reform Campaign clearly demonstrated to participants that a firm foundation for modernising the educational structure exists. Despite the war, the traditional top priority assigned here to preparing children for adult life is alive and well. Participants in Monday's events in Mostar and Ljubuski saw it clearly in teachers' dedication, directors' vision and enthusiasm and the children's alert, open and lively minds. OSCE RC Mostar Director Tom Timberman came away with two observations that he would like to share with the public. Firstly, a minority of audience members at the roundtable for example in Ljubuski wanted to distort and distract attention from improving their children's education to tired themes of ethnic division. Second, a larger minority of audience members believed that the biggest problem was money and high tech teaching tools which the IC should provide as their major contribution for

education reform. Most significant, however, was that most audience members appeared to respond enthusiastically and positively to the fact that education reform is finally being discussed in real terms.

That is all from the OSCE today.

### **Avis Benes – OHR**

I have an additional remark regarding the PLIP statistics I just presented. In the table you received, statistics for Ljubinje are different from the one I presented as the process was not completed by the end of September. However, this should not puzzle you since, according to the information we received until today, the process has been completed.

### **Maj. Fix – SFOR**

On 25<sup>th</sup> of October SFOR troops within MNDSE were again successful. An illegal ammunition and weapon cache was discovered in a cave near Miholjace, Gacko municipality. After receiving information from a source, French and Spanish patrols respectively conducted this operation. Among the seized materials were rifles, hand grenades and approximately 3.000 x 7.62 mm caliber rounds. Success of this operation greatly depended on the source that provided us with this information. The same day, during a humanitarian aid mission in the vicinity of Godijeno, one private by accident discovered an ammunition box in a laundry room of a patient. First weapon [a rifle] was rapidly discovered and an intensive search was decided by the Coy commander. The search led to further discoveries of weapons that were hidden in canisters, hen houses and other places. At the end 4 rifles, 1 submachine gun, 1 antitank weapon, hand and rifle grenades as well as 1100 rounds of ammunition were seized. These two recent operations show SFOR determination and commitment to collect illegally held weapons in BiH, but there are still large quantities of arms and ammunition hidden in caches or in

private properties. More than ever, I am yearning for peace and safe environment for people living in this country, and I prompt anyone aware of illegal arms and ammunition possession or caches to contact directly SFOR units. Information will be handled with the uttermost confidentiality. – General Philippe Sommaire, MND SE Commander.

### **QUESTIONS:**

**Q: Miljenko Karacic (HRT Zagreb):** I would like to hear your comment on Mostar as the capital of the Federation? Secondly, will the High Representative be persistent on the implementation of decision on the complete relocation of the five Ministries to Mostar as outlined by the Dayton Peace Agreement?

**A: Avis Benes:** Apart from being a part of the Dayton Peace Agreement this decision is also a part of the new Law on the Government and Ministries. This is in a way strengthening and reinforcing the determination of the High Representative and the OHR to truly implement it. Namely, in principle there are no negotiations about this. These five Ministries will have to be seated in Mostar and will have to be fully functioning in the real sense of this word and not only a pro forma.

As for the idea on Mostar as the capital of the Federation, you may have noticed that over the last couple of years there have been a number of voices within the International Community supporting this idea. Just as a reminder, the 1998 Madrid Declaration outlined the idea of Mostar as the capital of the Federation. In principle, the OHR and the High Representative support this idea. However, one of the things is that the full realization of this idea will depend on the developments in the very City of Mostar. Provisions of the Interim Agreement have to be respected and Mostar must be a

unified city, without parallelism that currently exists. In any case, by those decisions and in general with our position the OHR supports the significance of Mostar and Herzegovina in Bosnia and Herzegovina.

**Q:           Mirsad Behram (RTV Mostar):** Additional question on the topic raised by my colleague. Can Mostar become the capital of the Federation at this very moment taking into consideration issues that you have already mentioned such as illegal construction works particularly in the Central Zone. Also, I think that the official seal was illegally broken at one of these sites. In that sense, will the OHR demonstrate the same determination with other cases as it demonstrated in regards to the resolution of garbage disposal issue?

**A:           Avis Benes:** Let me first answer your second question. I think that our today's statement clearly said that we expect that the same approach to the garbage disposal issue will be continued by all relevant authorities and that hopefully the OHR's role will be less and less. However if required, our determination will not be smaller than in the garbage disposal case.

As for the first part of your question, I think it is clear to everyone that the OHR is not to take any decision on Mostar as the capital of the Federation. In accordance with the FBiH Constitution, the capital of the Federation is Sarajevo. What we expressed right now and what we were mentioning before is the general comment on this idea.

**Q:           Pejo Gasparevic (HINA):** Question for Major Fix – We heard today that the High Representative is going to speak about the scandal of sale of weapons to Iraq in the NATO seat in Brussels. There are several sings pointing out that the weapons were transported through Herzegovina to the neighboring Adriatic harbors and from there transported to the market it was intended to. Taking into consideration that this is your area of responsibility what is your knowledge

regarding this information?

**A: Maj. Fix:** Concerning this supposing information on illegal trade between Orao factory and one possible harbor on the Adriatic coast in fact what I can say is that SFOR goes on with this investigation on what SFOR found in the factory. As General Ward said, this investigation goes on about one month another and as soon as all results will be known I think that you will have all information concerning what has really discovered in the investigation. Concerning the second part of your question, the area of the harbor is located out of area of responsibility of MND SE. In this regard, it is the Croatian police forces who should conduct the investigation.

**Q: Alija Bijavica (Radio Stari Most):** I would like to add something to the discussion on the idea of Mostar as the capital. I'll have a sort of question or rather a statement. It seems to me that the idea of Mostar as the capital is being reinforced now after the victory of the national parties. Perhaps, it could be good for Mostar to become the capital. However, it associates me on – Banja Luka for Serbs, Sarajevo for Moslems and Mostar for Croats. This represents a difficulty in regards to this issue. Apart from that, Mostar does not have cadres to become the capital. Even these five Ministries that have to be situated in Mostar are reluctant to this idea as they prefer to stay in Sarajevo, the city which offers greater possibilities. I consider this issue to be a very sensitive one and I think we should all adhere to the Constitution. That is my question.

**A: Avis Benes:** As for the adherence to the letter of the Constitution, the OHR will surely support that. As I said, according to the current Constitution, Sarajevo is the capital of the Federation and the OHR views it as such and there is no dispute about it whatsoever. It could be that this whole discussion appeared in public because of the decisions of the High Representative on the re-location of the five Ministries to Mostar. However, this decision is on the path of what has



been outlined by the Dayton Peace Agreement and other Declarations that followed. We might discuss other issues you mention later on. As for personnel issue or staffing policy, it is not written anywhere that all personnel have to be from Sarajevo. If one city is the capital of the Federation it means that all people from the Federation have equal right on employment in various Ministries. As for the division on three cities I see no reason for this. Mostar is surely not only the Croat city. Mostar is the city of all its residents and ultimately when it comes to the composition of the population it is the most multi-ethnic city in this state.

**Q:           Danijela Kozina (Dnevni List):** Why is the High Representative's decision on annulment of the special regime not being applied and respected in this Canton? We still have positions of Vice Governor and Deputy Ministers.

**A:           Avis Benes:** Because it applies to the new authority which is to be formed soon. It is as simple as that.

**Q:           Tina Jelin (Studio 88):** Question for SFOR – was anything identified, detained or arrested because of the weapons that was discovered?

**A:           Maj. Fix:** No one was detained or arrested after these discoveries as well as in the cave. There was only one cave and nobody was around and of course in the house. There was no reason to arrest anyone.

**Q:           Tina Jelin (Studio 88):** What about the local police?

**A:           Maj. Fix:** Everyone in the place and house co-operated with SFOR immediately after the first by chance discovery of ammunition box. So no need to worry about it.

**Q:           Tina Jelin (Studio 88):** Are we talking about hidden ammunition or leftovers from the war? What did you source tell you?

**A:**       **Maj. Fix:** I have no information on the time when this was stored in the cave.