Transcript of the International Agencies' Joint Press Conference

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OHR

High Representative Lobbies For BiH inBrussels

The High Representative is in Brussels today where this evening he will meet with the European Unions High Representative, Javier Solana and the Commissioner for Enlargement, Olli Rehn.

The High Representative will discuss the current situation in BiH following the RSNA's vote on police restructuring which has stalled further negotiations with the EU on a Stabilisation and Association Agreement. EU Foreign Ministers meeting in Luxembourg yesterday again highlighted the necessity for an agreement on police reform in order for the opening of negotiations of an SAA to be considered.

Today's meetings will examine the consequences of the RSNA's decision, and the future implications that BiH's isolation in the region will bring. They will note that the current position taken by the RS government is not risk free, and that it will bear consequences in terms of the EU's policy and in its plans for economic assistance in BiH, and the RS in particular.

EU assistance is based on the premise that BiH and the RS is serious about going to Europe – and if the conclusion is that the RS as an entity is not really interested in the EU, except on its very special terms, then there are other places that aid money could be used.

Debate will also focus on future policy in the case that the RS government is willing to resume talks on police restructuring in accordance with the EU's three principles – that presuppose that policing regions cross the IEBL in order to meet the criteria.

The HR will underline that – despite the events of the past few weeks – the mood of the populous hasn't changed. He will note that opinion polls consistently show that the vast majority of the population wish to see an increase in EU engagement in the country. In the case that the RS government moves ahead with police restructuring, today's meetings will look at ways to unblock the current impasse.

PDHR Butler Calls For Practical Steps For Single Economic Space

The Principal Deputy High Representative, Larry Butler, is speaking this morning at a Conference on the Single Economic Space in BiH. Ambassador Butler will focus on practical steps that the BiH authorities must take in order to ensure that the Single Economic Space begins to deliver better standards of living to the people of BiH.

The BiH Competition Law must be harmonized so that the Competition Council, which is now operational, can begin to take binding decisions that stop companies from abusing market dominance (by putting up prices, for example).

The Consumer Protection Law, which will establish an Ombudsman to protect BiH consumers from dangerous products, must be sent

from MOFTER to the Council of Ministers and thereafter to the BiH parliament.

The law establishing a Market Surveillance Agency that will ensure that products that are harmful or substandard are taken out of circulation, must be implemented. Currently there is no efficient mechanism to prevent dangerous goods from being dumped in BiH.

The BiH Standardization Agency, which will help manufacturers meet minimum quality requirements and thus protect consumers, must be made fully functional. Likewise the BiH Statistics Agency has to be staffed adequately so that it can generate the statistics that will encourage investment and so create jobs.

The BiH Phytosanitary Agency, established by law two years ago, still doesn't have premises. This should be rectified during the summer, clearing the way for the Agency to start helping BiH farmers export their products to international markets.

I've brought along copies of the speech.

OSCE

The OSCE Mission to BiH acknowledges the importance of interstate-cooperation in war crimes cases

Following the OSCE expert-level meeting in inter-state cooperation in war crimes proceedings organized in Palic, Serbia , last November, the OSCE Mission to Croatia organized a follow-up meeting in Brijuni on 7-10 June. The meeting started with a ministerial meeting where the ministers of justice from BiH, Croatia and Serbia and Montenegro agreed on the need to support the process initiated in Palic. An expert-level meeting followed with experts from the three countries

discussing the mechanisms for cooperation in conducting trials of citizens for war crimes committed in other states, as well as the developments in institutionalization of witness/victim services in light of Palic.

The OSCE Mission to BiH acknowledges the importance of interstate-cooperation in war crimes cases in order to ensure fair trials and effective prosecution of war criminals. The Mission stands ready to support the BiH practitioners in this ongoing process and praises the BiH delegation who attended the Brioni meeting for their contributions and suggestions. The issues at stake are sensitive and require close cooperation between the three countries to come to an agreeable solution.

Ambassador Victor A. Tkachenko visits Kid's Festival

The OSCE Mission to Bosnia and Herzegovina is glad, once again, to be able to support the biggest youth event in Bosnia and Herzegovina , Kid's Festival, between 10-16 June 2005.

Deputy Head of the OSCE Mission to Bosnia and Herzegovina , Ambassador Victor A. Tkachenko, will visit the Kid's Festival today. Same as last year, the OSCE Mission to BiH will take an active part and host Human Rights Workshops. Children will learn about human rights through different 'thinking games'. They will be exploring the issues ranging from equality to social and economic exclusion, discrimination, freedom of opinion and the rights contained in the Convention on the Rights of the Child.

The OSCE Mission to BiH anticipates that this years Kid's Festival will once again be a great success.

All media are cordially invited to cover this visit.

EUPM

As the tenth anniversary ceremony to commemorate the Srebrenica victims is approaching, the EUPM is monitoring the security planning of the Republika Srpska Ministry of Interior. As it was the case in previous years, the RS Ministry of Interior will have the leading responsibility for co-ordinating efforts with the BiH Federation police, as well as with BiH Ministry of Security and SIPA, to ensure that a safe and secure environment is provided in and around Srebrenica on the day, as well as freedom of movement of all traffic to and from the ceremony. With regards to this, EUPM welcomes the initiative of the RS MoI this week to establish a police co-ordinating unit called ”Srebrenica 2005”, which will oversee the necessary policing and security arrangements for all attendees.

As this year’s ceremony is expected to see an especially large number of local, as well as foreign officials, the EUPM is liaising closely with the RS Ministry of Interior, Federation BiH Police, BiH Ministry of Security and SIPA, and will offer any assistance in preparing the overall operational security plan for the event. As part of this co-operation effort, the EUPM has this week opened an office in Srebrenica, which will remain staffed until the ceremony is completed.

ICTY

Good morning to you all on behalf of the ICTY.

You are all aware that the President and Chief Prosecutor of the ICTY yesterday addressed the United Nations Security Council, giving their assessments on the progress made towards implementation of the Completion Strategy of the Tribunal.

I have copies of both speeches for you, as well as copies of the written assessments submitted on 25 May. I would like to draw your attention to some elements discussed by the

President, Judge Theodor Meron, in his speech, which are of particular interest to Bosnia and Herzegovina.

First, President Meron highlighted the opening on 9 March 2005of the War Crimes Chamber of the State Court of Bosnia and Herzegovina, which is now in a position to accept cases which the Tribunal's Referral Bench may decide to refer to the authorities of BiH. The ICTY continues to strongly support the work of the War Crimes Chamber.

Second, concerning state cooperation, the President said that the RS authorities have assisted in the context of the arrival of some indictees and fugitives, but that co-operation is still lacking with regard to the need to locate and arrest such notorious fugitives as Radovan Karadžić and Ratko Mladić.

He also stressed the need for Governments in the region to redouble their efforts for judicial cooperation between their own authorities.

The President once more clearly said that the Tribunal will not close its doors until Karadžić, Mladić, and Gotovina have been arrested, brought to The Hague , and tried before the Tribunal in accordance with the full procedural protections recognized by our jurisprudence.

The President particularly stressed that it is a shame that Karadžić and Mladić are still at large, 10 years after Srebrenica. He quoted one part of the Appeals Chamber Judgement of Radoslav Krstić which confirmed that "*[b]y seeking to eliminate a part of the Bosnian Muslims, the Bosnian Serb forces committed genocide*".

It is clear that the delays in apprehending fugitives slows down the process of justice in The Hague . This is one of the factors which lead the President to conclude that trials will necessarily have to be conducted in 2009, therefore adjusting the previous target of finishing all trials by the end of

2008.

And now, I would like to turn to another matter. The Trial Chamber in the case of Naser Orić rendered last Wednesday it Oral Decision Pursuant to Rule 98*bis*. This is a rule that enables the Trial Chamber to acquit the defendant of some or all charges half way through the trial, if it considers that the Prosecution has not presented evidence that would allow any reasonable trial chamber to find that guilt of the accused has been proved beyond reasonable doubt.

In its Oral Decision the Trial Chamber ordered the continuation of the case against Naser Orić in relation to those counts of the indictment, which concern murder and cruel treatment of individuals of Serb ethnicity and wanton destruction of villages with predominantly Serb population.

The Trial Chamber said, however, that there was no evidence capable of supporting a conviction for certain alleged incidents within those counts – the alleged murder of one person, the alleged cruel treatment of another person, and the wanton destruction in the villages of Radijevići and Božići. Consequently, Orić's defense will not have to address those particular incidents.

The Trial Chamber acquitted Orić on two counts which concerned the plunder of cattle, furniture and television sets. As to furniture and television sets, the Trial Chamber said that there was very little evidence pertaining to that.

As to the plunder of cattle, the Trial Chamber said that there was ample evidence which, if believed, could lead to the conclusion that several hundred heads of cattle were appropriated during or immediately after the attacks. The Chamber, however, said that any criminal responsibility of Naser Orić was offset by the real and present necessity to acquire food for the survival of the population of Srebrenica.

Further, the Chamber stated that there was abundant evidence

that Srebrenica was isolated, that the starving population was drastically increasing with the influx of refugees and that there had been repeated calls for help. The Chamber concluded that there was no evidence that the taking away of cattle was disproportionate or that the direct perpetrators of the appropriation of cattle had brought about the humanitarian situation themselves, but rather that these acts had become indispensable for the survival of the population of Srebrenica.

That is all from the ICTY today, thank you for your attention.

EUFOR

No statement today.

NATO

No statement today.

RTQs

Nick Hawton, BBC News:

Can NATO, EUFOR and ICTY just give me the latest position on Mladić? Lots of rumors in Belgrade that some negotiations are going on, do those three organizations believe he is in this country or in Serbia? What's the current thinking?

Derek Chappell, NATO:

I'll start your answer. I don't think we can comment on reports of events that are happening inside another country, inside Serbia. I think you are directing your question at the wrong agency. I would note that every year at this time there

is renewed speculation about Mr. Mladić and Mr. Karadžić. Every year at this time as we approach the anniversary of Srebrenica there is speculation about them surrendering or being handed in or captured before the anniversary of Srebrenica. That is happening again this year with the additional impetus of it being the tenth anniversary. I can only say that as you have seen over the past months, we are continuing our efforts to locate these people and to locate evidence and information about their supporters, their support networks. I have no new information to add to that.

Frank Cockburn, EUFOR:

From EUFOR standpoint I think we firmly support what NATO are doing and as I said, we are continuing our efforts here and intelligence gathering to apprehend these PIFWICs. That's all.

Matias Hellman, ICTY:

I will just quote from the speech of Carla del Ponte before the Security Council, and you will of course get a copy afterwards. She said: "Another seven fugitives are within reach of the Serbian authorities alone or in cooperation with Montenegro and Republica Srpska within Bosnia and Herzegovina: Karadžić, Mladić, Tolimir, Hadžić, Milan and Sredoje Lukić, and Župljanin. (*So Mladić is within those.*) Karadžić, Mladić and Tolimir are the three accused most responsible for Srebrenica. Prime Minister Koštunica gave me assurances that his government will deliver on these remaining fugitives, and I expect him to fulfill his commitment." And she goes on a bit, I'm just quoting from her speech and I'll let you read the copy yourself and make your conclusions from that.

Nick Hawton, BBC News:

So the ICTY believes that Mladić is in Serbia?

Matias Hellman, ICTY:

Well I can't say that. First of all this is the speech by the Prosecutor and I don't represent the Prosecutor, I represent the Register of the Court. So, what the Prosecutor is saying here, I'll let you interpret her words yourself. I can't add anything to that.

Journalist #1:

For Mr. Hellman: Reports have been published in the media saying that Hague investigators, this morning or already, have conducted talks with a certain number of persons in the Zenica area and some other locations, so can you confirm this or tell us something more, if possible?

Matias Hellman, ICTY:

I cannot confirm such a thing, especially because, as I've already mentioned, I do not work for the Prosecutor's Office. I cannot comment on what the Hague investigators are possibly doing and I have no information concerning this matter.

Journalist #2:

In regards to arresting Radovan Karadžić there has been a lot of speculation about the existence of a gentlemen's agreement made between him and Holbrooke. Also there has been constant talk of there being no political will amongst the western European countries and America to arrest Karadžić, are the NATO forces and other structures therefore admitting that they are powerless and weak or do they not want to arrest Radovan Karadžić?

Derek Chappell, NATO:

You are addressing your question to NATO, but there is a political element to your question and I can only answer on behalf of NATO. I think you have seen the extent of our efforts over the past months and years, the operations we have conducted, the searches we have conducted to locate these

people. We have arrested, detained, supported the local authorities in the detention of many PIFWICs in this country and I don't think our commitment can be doubted. If you have questions of a political nature then they should not be directed at NATO, they should be directed at political agencies. I'm answering on behalf of NATO: our commitment is clear and demonstrated. As there is evidence to search for these people and to gather evidence, we will do so. If we had evidence as to where they are we would support local authorities in an instant to locate and detain them. We're doing that in the interests of the future of this country and that is our commitment.

Journalist #2:

Does this mean that the powerful NATO has been powerless to arrest and locate Radovan Karadžić for all these years, ten to be exact? Does this mean that the powerful NATO pact is powerless to arrest Radovan Karadžić after ten whole years?

Derek Chappell, NATO:

Firstly NATO is not a policing agency. There are competent security agencies within Bosnia and Herzegovina who know this country intimately, they have local sources, local contacts and they are the competent authorities to search for and arrest these people. We are here to assist and support. We are not here to conduct searches of every village, of every house. We act when there is evidence that leads us to a location, that leads us to an operation being necessary at that time and at that place. Where that evidence has been gathered we have acted. It's very unfortunate that they have not been captured yet, but it is not due to any lack of effort on the part of NATO. You have seen our commitment over the past years. I would suggest that the responsibility lies with the people who support them. They have very active support networks. A huge amount of public money is diverted from the best interests of the people of this country towards

supporting these people, and your inquiry should best be directed at the military, the extremist organizations that support them and allow them to remain at large. These are the people we are trying to fight.

Matias Hellman, ICTY:

I'll add something simply by quoting again from the speech of the Chief Prosecutor and I remind again that I do not work for the Chief Prosecutor. I'm quoting from her speech before the Security Council. She said: "It is essential that the authorities in Podgorica and Banja Luka cooperate more closely with Belgrade, and also with NATO and EUFOR in Bosnia and Herzegovina. This is the most promising way to locate Radovan Karadžić. Also, the political support of the international community remains of paramount importance. It is encouraging that in Brussels and in Sarajevo I was assured by NATO and EUFOR commanders of their full commitment in respect to this issue."

OHR: Okay. If that's it, thank you very much.