

Interview: Hanns H. Schumacher, Senior Deputy HR "I am absolutely against protectorate"

We have to do everything we can in order to avoid any situation that might put us in the role of protectors - We expect instructions from the Bonn conference on how to implement Dayton from now on - It might happen that the International Community declares the design of BiH passport by decree - My job will be to monitor the work of joint institutions

Only two days after he reached the age of 49, Dr. Hans Heinrich Schumacher arrived in Bosnia and Herzegovina. The Senior Deputy HR stepped in at the deep end at OHR, when he chaired a meeting where agreement was expected about one of the laws. His first assignment was some kind of 'baptism by fire', because he faced the Serb representative and his obstruction of the DPA implementation.

In his first interview given to certain BiH papers, Ambassador Schumacher speaks quite directly, but not imposingly, about his understanding of the BiH problem. Although having been only days in this country, his vision of solving some of the problems is, at least, interesting.

THE ARBITRATIVE ROLE

Are you also one of the future protectors of BiH?

Absolutely not! I think that the International Community should do everything that it can, but based on the Dayton Peace Agreement. In that sense, it might be necessary to arbitrate in some decisions, but we need to do everything we can in order to avoid any situation that might put us in the role of a protector.

Why are You afraid of a protectorate?

My deepest conviction is that a protectorate would never be able to solve the problems that this country has. The International Community will try not to impose its own solutions.

However, the DPA implementation was 'jammed'.

Yes, that is true. We have obstructions in many areas, especially after Sintra. Therefore we presented some 18 articles to be fulfilled by the authorities by December 10, when a meeting of the Peace Implementation Council was scheduled. We expect the Bonn conference to give us instructions on how to proceed with further implementation of the DPA, specifically, how to arbitrate in some concrete cases.

What does the 'right to arbitrage' actually mean? How is that going to function?

My recommendation to Carlos Westendorp was, and is, that the arbitrage must be defined as flexible as possible, in order to react immediately, and solve the problems on the ground right away. When I proposed this, I considered these 18 articles that we required of the BiH authorities. The arbitrage position has to be defined in such a way that it will not slow our activities in the field or prevent us dealing with some bigger problems. The arbitrage should not go into the detail and background of the problem, but facilitate its prompt resolution and a quicker DPA implementation. Passports for example. It might happen that the International Community declares the design of the BiH passports by decree. That would automatically mean that those who do not accept the BiH passports would not be able to travel around the world. It would then be very interesting to see how long those people could cope without being able to travel.

So far, none of the articles from Sintra has been completely fulfilled

That is true.

So why the meeting in Bonn?

First of all, there is some progress. The Federal authorities accepted our amendments on the Law on Housing, so there is some progress after all. Furthermore, our obligation is to meet every six months and to analyse what has been done, and what remains to be done. From this point of view, the meeting in Bonn is very necessary and well founded.

What will OHR focus on during the Bonn conference?

In the coming year two matters will prevail – those are the matter of reconstruction, and the return of refugees. These two problems cannot be separated and will be considered regardless as to whether refugees are returning to the ‘minority’ or ‘majority’ areas of BiH. Therefore, it will be necessary to make decisions, on the canton and the state levels, that will enable the return of refugees and expellees, and also encourage foreign investment in the reconstruction. We will observe this process very thoroughly.

THE RECONSTRUCTION AND THE RETURN

What will be your job in the OHR?

You have asked a very important question. Carlos Westendorp, Jacques Klein and I are discussing that right at this moment. I think that it would be very wrong to change the very top structure of the Office without any transition period. This is because new people did not have time enough to learn about the problems, the number of employees was increased – then, Jacques Klein arrived, and he is focusing very well on specific matters – and there was also the tragic accident in which my predecessor Gerd Wagner died. I also want to stress that, during his time in BiH, Wagner really achieved some success. My focus will be the work of the state institutions, and I am already engaged in this matter.

So, this means that we should expect from you the solutions of the flag, passports, registration plates, citizenship

I am not so arrogant to say that I understand all of these problems, and that I can resolve them. The matters you mention have been considered since January, and we still do not have the solution.

As soon as I arrived, last Wednesday, I chaired a meeting where some of these matters were discussed.

My associates told me not to worry. “This time they have to agree,” I was told. But, they did not agree. The whole meeting turned into a discussion between me and the Serb representative, which was listened to by everyone else, until they finally got bored. This showed me that the problems in the authorised institutions have to be resolved – The Council of Ministers and the Parliament. Such methods would be very useful, and might be productive too. The discussions would not be held behind the closed door of OHR, in these smoky rooms, but before the eyes of the public.

DAYTON AS A GLUE

How far is Bosnia from a division nowadays?

At the time the Dayton Agreement was achieved, BiH was very, very close to division. Dayton was the thing that ‘glued’ its parts who wanted to split. As time goes by, along with progress in the DPA implementation, this glue is getting stronger. When I was sent here, as a member of the German Ministry of Foreign Affairs, I was told that my task was to help with the DPA implementation. The DPA can be implemented if the people around here are interested about it. International organisations can assist with that, but the main burden is on the people who live in this country.

What did you discuss with the Serb representative?

Three things – The Law on the Council of Ministers, the Law on Citizenship, and the Law on Passports. We created the basis for the work of one of the most important joint institutions – the Council of Ministers – and the laws on citizenship and passports are closely connected, because you cannot issue passports without resolving the matter of citizenship. Our Office proposed the final version, it was considered, there were some amendments, and sometime in August, we proposed the final, unchangeable version. It could only be accepted or rejected. To date,

there has been no response to this. I was told that the SDS Club of Representatives proposed some amendments, but we are interested in a Parliamentary discussion, and let that be the way this joint institution decides.

Do you have an idea how to resolve the matters of flag, passports, citizenship

The office has made proposals, but these have still not been discussed at official level – the Parliament firstly. I do not know if all the representatives of the state Parliament pledged their allegiance or not, But their duty, for which they were elected, obliges them to do the job they were elected for. As I have already said, we did our part of the job, and I think that it is quite normal to open a Parliament discussion about it, and let it be as it is decided there. We will not oppose such a solution. But if there is no solution, then the International Community will have to find it. The responsibility will be taken from those who were not able to agree. The International Community has to take such a step, so that the people can feel that we are really serious when we say that we will find the solution if there is none.