

Remarks by High Representative Valentin Inzko to the United Nations Security Council



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Mr. President, Distinguished Members of the Council,

It is my great honour to address this distinguished body once again. I am only sorry that we must meet once more remotely. I sincerely hope all of you are doing well, as well as all citizens in your respective countries. With so many issues facing the Council, I am thankful that you are still able and willing to take the time, to focus on a discussion on Bosnia and Herzegovina, which remains an ongoing concern.

Distinguished members of the Security Council,

This month we will celebrate the 25th Anniversary of the Dayton Agreement, an agreement that provided 25 years of peace in BiH.

Looking back, Dayton is a huge success, as it brought indeed peace to BiH, and an even bigger success, considering all international disputes that remain unresolved for decades – like in the Middle East, the Caucasus and elsewhere.

However, as it turned out, the Dayton Agreement – while also a solid framework for future development of BiH – brought an imperfect peace. The priority of the Dayton fathers was, correctly so, after 100.000 people were killed, to stop the bloodshed in BiH, while at the same time produce an agreement enabling future state-building reforms.

It is an undeniable fact that significant progress has been achieved in BiH – also with the help of some politicians like Mr Dodik – in the first decade after Dayton. He was indeed very cooperative. You would remember that state symbols were adopted, a new common currency established, a common passport and flag, a national anthem and a national football league, common licence plates in order to enable freedom of movement, the taxation system improved, judicial reforms were implemented, and a joint Armed Forces was established in a country where earlier three armies fought against each other, just to name a few examples of the successes of the international community. I would like to use this opportunity to thank my predecessors for their dedicated work in BiH: Carl Bildt, Carlos Westendorp, Wolfgang Petritsch, late Lord Ashdown, Christian Schwarz-Schilling, who will turn 90 these days, and Miroslav Lajcak.

Regrettably, the international community made one grave conceptual flaw during the implementation of the Dayton Agreement – we invested our trust in some politicians too early, and they used our goodwill to reinvigorate nationalistic, divisive policies, especially since 2006.

The lack of progress and real reforms is obvious, blockages of institutions at the state-level and lately also at the Federation level became a new normal in BiH. Also normal is, for example, the systemic discrimination of the so-called Others, citizens who do not declare themselves as members of the Constituent Peoples. I mention this, because there is very little preparedness of some politicians, to remedy this shameful discrimination, which concerns about 10% of the

citizens.

It is also very worrying that 25 years after the Dayton Peace Agreement, some BiH politicians still fail to uphold core European values. The Nuremberg tribunal, established 75 years ago, returned the sense of right and wrong to Europe and had a healing effect on some countries, including my home country Austria. The Nuremberg trials detected individual perpetrators of most terrible crimes in WWII, including the Holocaust as the worst of all, and condemned Nazi war criminals forever to the wrong side of history.

Similar has been tried with the ICTY, established by this very body in 1993. Some BiH politicians have failed, however, to understand the historic lesson of Nuremberg and completely missed the point of the ICTY and its work.

There is no collective guilt for war crimes – there are no bad nations, there is only individual responsibility. But the biggest lesson is, that those, who choose to ignore or re-write history, instead of accepting the truth, those will not have a stable and prosperous future. And, as the current German Foreign Minister Heiko Maas said only a few days ago, on 28th October, in a landmark speech, **there is no place in the European Union for those who glorify war criminals.**

The latest example of glorifying a war criminal is BiH Presidency member Milorad Dodik's request on 16th September 2020, that the BiH Presidency honours and pays "respect" to the convicted war criminal Momcilo Krajisnik, who died a day before, with a minute of silence. The same politician, Mr Dodik, some time ago opened a student dormitory in Pale, close to Sarajevo, in honour of convicted war criminal Radovan Karadzic, who has been sentenced to life by the ICTY. Similarly, in the past, Dario Kordic, who served 12 years for war crimes, received a warm welcome upon his release,

organised by a political party, and a mass of gratitude in a Catholic church was celebrated for him. This is unacceptable.

I have reported about the glorification of war criminals in the Security Council already, but in Srebrenica, where over 8.000 boys and men were killed and buried, I repeated on 11th of July my appeal and urged Mr Dodik to remove the commemorative plaque or rename the student dormitory dedicated to Radovan Karadzic – a dormitory where future generations are living and growing up. I am repeating this appeal today and if he will not act before the next UNSC meeting in May, he should be confronted with a travel ban in all EU countries and eventually in all UN member States. As the German Foreign Minister said, there is no place in civilised Europe for those, who glorify convicted war criminals. There is no place for those who do not share European values. This is, why we need, like the Holocaust denial law, also a genocide denial law.

Ladies and gentlemen,

As you know, the country will hold local elections 10 days from now, and I am afraid that rather than hopeful, forward-looking campaigns, in some cases we are seeing the usual divisive rhetoric. Instead of looking towards the future, politicians are looking into the past.

Most recently, Mr Dodik, who is the Serb member of the Presidency of Bosnia and Herzegovina and the leader of the main Serb party, the Union of Independent Social Democrats, or SNSD, said that Bosnia and Herzegovina is the “wrong country.” Well, of course, it is the wrong country when you reject everything and make no effort to come together to fix it, and constantly talk about leaving it. Earlier, Mr. Dodik threatened, that Serbs and Croats would present their plan for how Bosnia and Herzegovina should function and that if it was

not accepted, they would “dissociate” from the country.

To be clear, Mr. Dodik is talking about secession of the Republika Srpska from Bosnia and Herzegovina – again. Needless to say, there is already a plan for how Bosnia and Herzegovina should function, and it is called the General Framework Agreement for Peace signed in Dayton 25 years ago. There is no option in the Agreement for secession, neither is it possible to cherry-pick from the Dayton Agreement. Such statements are irresponsible, unfounded and show poor leadership. They also completely disregard the well-being and prosperity of the citizens, as well as peace and stability in the region.

Given such rhetoric, I must acknowledge and express my thanks to the Council for its reauthorization of the mandate of the European Union-led military mission in Bosnia and Herzegovina, EUFOR ALTHEA, in fulfilling the main peace stabilization role under the military aspects of the General Framework Agreement for Peace. The continued presence of EUFOR remains necessary.

Ladies and Gentlemen,

As I have noted, Bosnia and Herzegovina is in the midst of campaigns for the 15 November Local Elections, and I want to express my gratitude and support to the BiH Central Election Commission, which has endeavoured to organise these elections under extraordinary circumstances, while also facing constant pressure and criticism, particularly by the Republika Srpska party led by Mr. Dodik, SNSD, and by the Federation-based Croat Democratic Union, HDZ BiH, led by Dr. Dragan Covic.

The members of the Central Election Commission have shown great resolve in addressing hateful rhetoric and in seriously tackling numerous allegations of electoral fraud, particularly concerning apparently fraudulent registrations of out of country voters.

The Central Election Commission is also preparing for the 20 December Local Elections in the City of Mostar, the first such elections in the city since 2008. This is owing to the 17 June agreement enabling the elections signed between HDZ BiH President Dragan Covic and the Bosniak-majority Party for Democratic Action, SDA, President Bakir Izetbegovic. This agreement would not have been possible without the engagement of the international community, particularly the European Union Special Representative Johann Sattler, and the Ambassador of the United States, Eric Nelson.

As I have outlined in my report, however, Mr. Covic and Mr. Izetbegovic have since been at odds over a second agreement signed on 17 June in Mostar, aimed at reforming the BiH Election Law, due to their entirely different interpretations of what they actually agreed.

Whatever their disagreements are in that regard, elections for the City of Mostar must be held as scheduled on 20 December, after 12 years.

I would further add that the long-overdue appointment of the new Federation Government must be carried out as soon as possible. For two years there has not been a Federation Government. Holding elections is meaningless if the results are not implemented. The same must be said for the appointments of governments in the Federation cantons of Herzegovina-Neretva and Canton 10.

Further deficiencies in the Federation are exhaustively listed in my report to the UNSC. There are quite a few such gaps in the Federation. I have gone into greater detail this time about everything that is missing in the Federation. It is not only the Government, which has not been appointed for two years; judges in the FBiH Constitutional Court have not been appointed for more than a year, four missing judges. There are other issues as well, all outlined in the report to the UNSC.

Ladies and Gentlemen,

Among other issues outlined in my report, I would like to underline the need for Bosnia and Herzegovina to dramatically improve the rule of law and the fight against corruption. The rule of law remains a cornerstone of any functional democracy.

Numerous polls show that people are not leaving due to a lack of economic opportunity as a primary reason, but the lack of the rule of law as well. Binding court decisions go unimplemented for years and blatant corruption goes unpunished. Some public opinion polls suggest that 74% of the citizens are unsatisfied or extremely unsatisfied with the situation in the judiciary. This figure supports what we argue on a daily basis – that profound, radical and rapid judicial reforms are needed in BiH.

In this regard, I would like to reiterate that the case of the young, murdered student David Dragicevic from Banja Luka, the case of Dzenan Memić from Sarajevo and the killing of two policemen in Sarajevo have not been solved. All cases have in common that even after more than two years, there is no progress in the investigation. What should citizens think, if even the murder of policemen cannot be solved?

It may be of interest to you that in Austria, the current Minister of Justice is Dr. Alma Zadic, a highly talented and hardworking refugee child from Bosnia Herzegovina, who studied at Piacenza, Columbia, and Vienna University.

Ladies and Gentlemen,

I would also underline that despite repeated calls from members of this Council on the authorities in Bosnia and Herzegovina to implement the 5+2 Agenda, which are the five

objectives and two conditions to be fulfilled prior to the closure of the Office of the High Representative and the end of my mandate, there has regrettably been little progress besides the adoption of the Revised War Crimes Processing Strategy.

Politicians also move away from the implementation of the second condition: the “positive assessment of the situation in BiH, based on full compliance with the Dayton Peace Agreement”.

I can state even today that, the moment I will assess the implementation of this condition, I will not base my assessment of the fulfilment of the second condition upon the use of the negative, anti-state rhetoric. I will assess the BiH authorities’ commitment to full and real compliance to Dayton, including concrete actions by some politicians, not only declarative actions and speeches.

It is in our common interest to leave behind lasting and irreversible stability in BiH that can only be achieved by an enduring and genuine commitment to the Dayton Peace Agreement, including the BiH Constitution.

Until this is secured, the international community must uphold all the instruments at hand to remedy potential threats to long-term stability in BiH – executive mandates, European judges in the BiH Constitutional Court and international mechanisms in Brcko, and, of course, the Mission ALTHEA.

Respected Members of the Security Council,

31 October also marked the 20th anniversary of Security Council Resolution 1325, which the authorities in Bosnia and Herzegovina marked in November. I urge the authorities to implement the third 1325 National Action Plan, notably to increase the effective role of women in trust-building and

political leadership. While women are at the core of ensuring socioeconomic stability in the country, they are marginalized in political decision-making.

This is another issue of the rule of law. There is an existing law which states that 40% of all political functions should be filled by women in Bosnia and Herzegovina. Regretfully, we are not even close to this figure.

Ladies and gentlemen,

In the past, the international community tried robust interventionism and hands-off local ownership approaches. Given the reality on the ground, perhaps it is time to rethink our current approach.

Let us finish the job in front of us, let us unite forces and let us turn a new page in our engagement and open a new chapter.

Of course, it is not about us. It is about the citizens of Bosnia Herzegovina, who have deserved better and who still have trust in us.

Ladies and gentlemen,

For 500 years, Bosnia and Herzegovina is a country with four basic religions. Islam, Catholic and Orthodox Christians and Jews.

It was the pre-empted small Europe of four religions and 16 minorities, living together for hundreds of years. Amongst ordinary people, there are numerous Nelson Mandelas in Bosnia and Herzegovina.

Only recently in Jajce in Central Bosnia, an Imam attended the

first mass of a newly ordained Catholic priest. And it was in this city, in Jajce, where youngsters protested against the division of their high school, which would lead to two schools under one roof – a Croat and a Bosniak one! These young people were successful and received for their courage and principled stand the prestigious Max van der Stoel award, by Stef Blok, the Foreign Minister of the Netherlands, in presence of the First Vice President of the European Commission, Frans Timmermans.

This is why I firmly believe, that together with the international community as partners, this ancient Bosnia and Herzegovina full of values, can be recreated and invigorated again.

Thank you very much.