

Nezavisne novine: Interview with HR Valentin Inzko

By: Dejan Šajinović

Nezavisne novine: Do you believe that the referendum on the imposed decisions of the High Representatives, specifically on the Court and Prosecutor's Office of BiH, will be held in the RS?

Valentin Inzko: I expect the RS authorities to put this Anti-Dayton referendum to one side and to stop challenging the Peace Agreement and the steps that have been taken to implement it. In my recent Special Report to UN Security Council on this issue, I explained the reasons why, as the final authority regarding the interpretation of the civilian aspects of the General Framework Agreement for Peace, I have determined the Republika Srpska to be in clear breach of the Agreement. My view will not change on this issue and rest assured that I persist in upholding the General Framework Agreement for Peace. Let us focus our collective energies on solving the pressing problems facing citizens and stop creating artificial crises and constantly dwelling on the past. Citizens do not pay their utility bills or apartment mortgages with referendum rhetoric. The priorities should be to reduce unemployment, encourage investment, fight crime and corruption and deliver progress on the European Agenda. In fact, the referendum issue is badly damaging investment. This country and its citizens are lagging behind in the region. They simply cannot afford any more political adventurism such as this referendum.

Nezavisne novine: Representatives of the Alliance for Change also agree with the arguments in favour of the referendum but they disagree on whether it should be conducted at this time. Do you at least understand the emotions that the people obviously have in relation to this controversial topic?

Valentin Inzko: I do understand that people all over the country, including in the Republika Srpska are frustrated with the deficit of rule of law here. I also believe there should be a discussion about how to improve and strengthen judicial institutions at all levels. Such a discussion is indeed ongoing as part of the Structured Dialogue with the European Union. It should continue and intensify. However, if the goal is to provide equal justice for all, as the proponents of the referendum claim, I don't understand why they are seeking to weaken the state's authority to try cases of political corruption in the RS. I think if you asked the ordinary people of this country whether they support the weakening of judicial institutions that are responsible for prosecuting corrupt officials, the overwhelming majority of them would say no, regardless of where they live. The ordinary people of this country want the Rule of Law and they don't want anybody in this country to be above the law. That is what I understand and that is one of the reasons why I want judicial institutions at all levels, including the State, being strengthened and not weakened.

Nezavisne novine: Are the Court and Prosecutor's Office of BiH doing their job well?

Valentin Inzko: They are delivering concrete results, but like every institution there is significant scope for improvement. In the meantime, while the focus has been on these specific institutions, we know that the judiciary at lower levels also needs to be improved. My view is clear, let's strengthen the judiciary at all levels. Let's also find more effective ways of ensuring oversight in terms of when individual cases are processed so they can't go missing in drawers. Let's see the justification for rulings published. In Ukraine, they have started to record court proceedings. Maybe they could do something like that here. Let's bring more transparency at all levels. Of course there is scope for improvement, but this must be done by the competent authorities, not through unilateral actions that violate the Peace Agreement

Nezavisne novine: Are Serb victims of war crimes and their families entitled to satisfaction at the court of law? For example, issues regarding Mr. Dudaković and Mr. Orić and some alleged implications related to them?

Valentin Inzko: A victim is a victim, regardless of nationality, absolutely, and survivors and families, whatever their background, deserve justice. Anyone who has committed a war crime should stand trial. Those found guilty should be punished. No exceptions. Period. Through the work of the International Criminal Tribunal for the Former Yugoslavia and domestic courts, many war crimes cases have been tried, but it is also a fact that many crimes remain unpunished. This deficiency needs to be addressed and is being addressed in part through the BiH War Crimes Prosecution Strategy. All victims deserve our utmost respect. We must remember them and ensure that future generations remain committed to tolerance, reconciliation and mutual understanding. We all have to show

understanding for someone else's pain; respect each other; try to focus on the future. This applies to everyone. Again, I believe most people in this country who do not belong to the political class understand this and want this instinctively. Politicians need to catch up with the people. Having said all of this, let me make one final point in regard to the State Prosecutor's Office and the State Court. These are institutions that have delivered concrete results – they have delivered convictions in a wide range of war crimes cases where the victims and perpetrators come from all constituent peoples. These institutions are not anti-Serb, Croat or Bosniak.

Nezavisne novine: An attitude of President Dodik to you is an interesting thing for me. I remember, for example, that he said, at our conference on the Dayton Agreement, that he personally holds you in high regard and respects you and that you are a good man and that his criticism is generally addressed to the institution you represent. Do you take such criticism personally or are you able to separate your private from your official capacity?

Valentin Inzko: From my perspective there is nothing personal in this business. I do not react towards people on a personal level and do not take other people's reactions towards me personally. That is the way it is. How people behave is a reflection of them, either they respect the basic norms of civilised behaviour or they don't.

Nezavisne novine: Can you make a distinction between private and official in case of President Dodik? After all, you have known each other for a very long time, even before your appointment as the High Representative.

Valentin Inzko: It is true that I have known many local officials for many years as I first served in Bosnia and Herzegovina in 1996. I am here to interpret and uphold Dayton Peace Agreement and that is what I do regardless of whether people like it or not. If you challenge the Peace Agreement then I will of course engage regardless of where you come from or what your name is. If the Federation decided to hold such a referendum then I would respond in exactly the same way. So if someone sometimes steps out line, like Republika Srpska officials have done with the referendum on judiciary and authorities of High Representative, I react. But I react not because of something personal but because there has been a breach of the Peace Agreement and it needs to be rectified.

Nezavisne novine: In last ten years he and his policies have been enjoying a pretty significant support of the people, and his policy obviously also includes a "firm" attitude towards the OHR...

Valentin Inzko: Nobody is disputing his election, as far as I know he beat his closest rival by some 7,500 votes of the 668,000 votes cast and won the elections. His policies and ways of doing politics are his to the degree they do not challenge the Peace Agreement. Someone's firmness or leniency towards the OHR does not change Dayton or their obligation to respect the Peace Agreement.

Nezavisne novine: If you were in Dodik's shoes, what would you do in next, let's say, two years? Which plan would you make?

Valentin Inzko: My advice to every politician, especially of the generation that has been in power for so long and that has so much responsibility for the current situation is one and the same. Be part of the solution, not the problem. Work within the framework of the Peace Agreement, stop questioning Bosnia and Herzegovina's future and be a driver of positive change. People are starving for a more positive and inclusive form of politics. Now in particular the European Union is offering the elected leaders of this country a chance to turn decisively to the future. This country can succeed and its people can prosper, but it won't happen if the authorities continue to focus on divisive and futile issues like this referendum in the RS. Change for the better is possible. But you have to say today is the day we will start. If I were Dodik I would kick-start the economy, strengthen the rule of law, and develop infrastructure.

Nezavisne novine: Do you have personal friends among politicians and other more prominent persons in BiH? Do you have them in the RS and Banja Luka?

Valentin Inzko: It is not secret that I spend a lot of time talking to people and trying to understand their needs and problems better. That is my approach. I believe open and well intentioned dialogue can identify agreements that result in good things for the ordinary people of this country. Whether I am speaking to people in Sarajevo, Mostar or Banja Luka my approach is the same. This is my practice ever since 1996 when I was Ambassador of Republic of Austria and it will not change.

Nezavisne novine: Most probably, you are one of the most optimistic High Representatives. We still remember your statement, or hope (to be more precise), at the beginning of your term when you stated that BiH could join the EU in 2014 - the year in which we marked the centenary of the beginning of the WWI. Are you still an optimist? When could BiH become the EU member? What is your assessment now, from the current perspective?

Valentin Inzko: It is the job of public figures in this country to try and generate optimism and in doing so to encourage positive change. This is why I am so opposed to the political rhetoric of the last ten years. Instead of instilling confidence in people to invest in this country, this rhetoric has discouraged people from investing here and fuelled pessimism about the future, and some people have chosen to leave because of this, people we need to stay here. The sooner BiH joins the EU the better, but that depends on you, not the EU. The approach to politics must change in BiH and we all know this. We need concrete results in implementing the EU Agenda. This is what the EU is saying to you. Deliver results, work with them, and I assure you that your way of life here in Bosnia and Herzegovina will change decisively for the better. A better future is absolutely possible.

Nezavisne novine: Is there something that could be summed up in two sentences, which in your opinion generates all the problems we have in BiH?

Valentin Inzko: I can do it in one. A political class that for too many years has failed to seize the opportunities on offer to take the country forwards, because they are more focused on sustaining their privileges than on delivering the change that would help their voters. They have blown a decade. Now they need to make up for lost time.

Nezavisne novine: Can you predict further developments in BiH in the forthcoming period? Are we going to have more government reshuffling, arguments, problems or are we going to enact the Reform Agenda start the reforms and submit our application for the EU membership soon?

Valentin Inzko: I will not predict, but will express my clear expectation that violations of the Peace Agreement, most notably the RS referendum, must be corrected and put aside. The destructive politics of the last ten years must become a thing of the past. We need a new approach that puts citizens first and that delivers concrete progress at an accelerated pace. My sense is that there is a growing awareness that this fundamental change in the way politics is conducted in this country is not only desirable but that it is now essential. It is not a question of if, but when. Change the approach now and we can see real, tangible change in this country that will benefit ordinary people and create opportunities for development across the country. Let me end by making one final point. It is a message to all of your readers, regardless of their ethnicity. Those who dream of living in states where all Serbs live together or where all Croats live together or indeed where all Bosniaks live together are trapped in the past. This is not going to happen. The cartography is over. The good news for them is that there is another way and that is the path to EU membership and a union where precisely this will happen: where all Serbs, all Croats and all Bosniaks will be together. Believe you me, there is a future where civic and ethnic aspirations can be met and it is the EU, but you need to change your approach to get there. The simple truth is that all Serbs in one union, the European Union, can only happen through a successful and functioning Bosnia and Herzegovina. The sooner people understand and accept this, the sooner we will get there. Think about that, see the bigger picture and change the approach.