

Oslobođenje: Interview with the High Representative Valentin Inzko

Oslobođenje: The latest meeting of the six political party leaders in BiH has not produced any concrete results, except a promise that the story of the Human Rights Court's judgment in the Sejdić-Finci case and the defence and state property will be ended by April. The agreements made about the property have been sent back for revision and election of the BiH Presidency Members has not been agreed yet. Is the Six blocking the way to the EU and NATO?

Valentin Inzko: Following the situation closely and judging by the way it develops, and having in mind that one rarely hears any reference to what concretely the parties intend to deliver for citizens, it is difficult to avoid the impression that the interests of the population at large are far from the priority they should be. We have heard so many promises and yet, nothing has been done. Declarative support is not enough. Anyone who is failing to deliver on requirements set by the EU and NATO is blocking the country's progress.

Oslobođenje: You keep saying that the leaders of the political parties comprising the new parliamentary majority in the BiH Federation must sit down and discuss the problems and possible solutions with the BiH Federation President Živko Budimir. Mr. Budimir has convened a meeting of seven parties, but the new parliamentary majority says they have nothing to discuss with President Budimir. What is your view of all this?

Valentin Inzko: A solution can be found only if there is good will and flexibility on all sides and that is what we need to see. I must use this opportunity to remind all relevant authorities and parties that, regardless of the ongoing

attempts to reshuffle the Federation government, they are still obliged to fully respect the rule of law, the democratic institutions and the constitutional and legal order.

Oslobodjenje: What is your opinion about the conclusions adopted by the new parliamentary majority in the House of Representatives of the FBiH, by which the powers of the Government are transferred to the House of Representatives? One of these conclusions is the one whereby the Federation Prime Minister is directed to submit a list of supervisory and governing boards and members of managements of companies, agencies and institutions whose mandates have expired, with a note that the House of Representatives of the FBiH will make appointments to these positions.

Valentin Inzko: The objective of the conclusions adopted in the BiH Federation House of Representative on 13 February is to limit the responsibilities and functioning of the Government. However, the BiH Federation Government has a legal obligation to ensure its continuing full functioning until the Constitutional Court decides on the vital national interest issue, which has been initiated. The functioning of the Government is a political responsibility of the highest order, particularly at a time when the citizens of the Federation are facing enormous socio-economic and other challenges.

Oslobodjenje: The House of Peoples of the Federation of BiH has not approved the vote of no confidence against the Federation Government and the Vital National Interest Protection Council of the Federation Constitutional Court will decide whether the no confidence vote represents a violation of Bosniak national interests. What is your position concerning this issue?

Valentin Inzko: The parties forming a majority in the Federation Parliament have a clear and legitimate right to seek to form a new government based on that majority, nevertheless, until the Vital National Interest procedure is fully completed the Decision on the Vote of No Confidence

cannot be deemed to be adopted, nor deemed as being in force. It is set forth in the Constitution and the current practice.

I expect the current BiH Federation Government to continue to fully function, perform its responsibilities and functions under the Constitution and laws in full capacity unless and until such time as the constitutional requirements for the adoption and entry into force of a *Vote of No Confidence* have been met. This is not now the case, since vital national interest was invoked at the BiH Federation House of Peoples session on 15 February.

Having said that, I also have to draw your attention to the fact that what happened with the Government, has also highlighted the unacceptable delay in the appointment of judges to the BiH Federation Constitutional Court, which has prevented the court from deciding on vital national interest cases. It is now absolutely essential that the FBiH President, in concurrence with the two vice-presidents and subsequently the relevant houses of the FBiH Parliament, undertakes the necessary activities to fill the long vacant posts so that this body can function fully and respond to cases of vital national interest as soon as possible. The parties which believe they represent interest of the BiH Federation citizens surely would not act in a way to block these appointment, given that it would bring about a paralysis.

Oslobođenje: The Party of Democratic Action called Patrick Moon and Peter Sorensen's statement issued last week contradictory, because, while they said in one part that they would not interfere, in another part they issued guidelines as to who needed to do what. SDA President Sulejman Tihić pointed out that the only authority who has a right to interfere with the constitutional order is the High Representative in BiH, that is, you. Has the time come for you to interfere with the crisis that has arisen in the Federation of BiH?

Valentin Inzko: I believe that too often political parties in this country are ready to lay the blame for their own failings at the doors of the international community. Instead they have to demonstrate readiness and maturity to solve problems and realize that sincere political dialogue is the only right way to solve disagreement. Plainly, you can not wish to become a full-fledged member of the European society and yet expect that somebody else solves your problems.

Oslobođenje: Croat and Serb councillors in the Mostar City Council have decided to send 15 letters to you, requesting that you resolve the question of the mandates of the Mostar City Council. To be precise, they will ask you to use your powers and make a final solution to the issue of the mandates of the city councillors. What are you going to do in this regard? Is an end to the Mostar crisis in sight?

Valentin Inzko: I have to affirm that many competent institutions handled it with inadequate attention. There are multiple failures of authorities and, consequently, competent institutions in the country have failed to present an explanation to the matter which had direct negative bearing on the Mostar citizens. There are institutions which have competence thereto. The Parliamentary Assembly of Bosnia and Herzegovina, as a body which adopted the Election Law, should render its opinion now. The Parliament should do it now as the City authorities asked its position. The issue clearly falls within competencies of the BiH Parliamentary Assembly and I expect that, in line with law, the Parliament passes a decision to extend or terminate the mandate of the city councillors.