

# **Op-ed by PDHR Roderick Moore: Flexibility and Will – the Missing Ingredients in Mostar**

The latest developments in Mostar, including the recent controversial vote on temporary financing for the City, have yet again exposed why it is so essential that a broad-based political compromise be reached that will bring an end to the current crisis without further delay.

We in the international community have watched with sadness and incredulity in recent months as stubborn and irresponsible political leaders have sent the City into a slow, downward spiral. Enough is enough. It is now time for political leaders to stop the inflammatory rhetoric, to abandon inflexible and unimplementable positions, and to rally around a realistic compromise that will put an end to this impasse.

Over the last three months, my team and I, with the full support of the international community, have been engaged in a concerted effort to help the parties find common ground upon which a sensible compromise can be constructed. Our motivation is simple. We want to help establish an environment in which citizens and politicians can re-focus on things that matter most to the people in the City – jobs, good schools, safe neighbourhoods, effective institutions, and so on. We want to ensure that Mostarians will be able to choose their leaders in elections like all other citizens in this country did in October. And, of course, we want to ensure that the rule of law is respected through the implementation of the Constitutional Court's rulings regarding Mostar, rulings adopted over two years ago.

Since October, I have participated in almost 80 meetings, and countless telephone calls, with your political

representatives. I have listened to their arguments, their accusations, and, sometimes, their insults. Through all the rhetoric and posturing, I have nonetheless come to one unshakable conclusion: a reasonable compromise – a compromise that threatens no constituent people or group – is attainable and within reach. But it will only be attained if your politicians will emerge from the deep political trenches they have dug, show a bit of flexibility, and recognize that no party will achieve everything it seeks. This should not be too much to ask of elected politicians, and I hope that you will tell them directly that this is what you expect of them.

The good news is that most of the eight parties with whom we are working are constructively seeking compromise solutions. These are significant parties. Together, they have earned a majority of your votes in recent elections, for instance. They deserve our, and your, continuing encouragement.

The bad news, however, is that the two most powerful parties in Mostar – the two who have the greatest responsibility for resolving the current crisis – have so far failed to show any trace of flexibility. They are stubbornly sticking to unrealistic positions that have no credible chance of being adopted in local bodies. One party is even refusing to participate in the effort to shape a compromise, an approach that is as troubling as it is bewildering.

A few days ago, a vote was held to approve temporary financing for the City. It may very well be that those who took part in this decision were motivated by a desire to keep the City functioning and to help those families who rely on City salaries and services. However, it is also a fact that this initiative took place under ambiguous legal circumstances. As of today, for instance, the competent institutions of this country have failed to provide clarity as to whether the mandates of Mostar's City Councillors who took this decision are still even valid. In November, the High Representative warned about this legal lack of clarity, noting that "any acts

taken by the City Council, either individually or as a body, would be legally questionable, could be subject to further legal action, and would contribute to greater legal confusion in Mostar” until and unless an authoritative institution, such as the Parliamentary Assembly, gave its opinion on the matter. .

It is also clear that this move has provoked a strong, negative reaction from representatives of the constituent people who did not participate in this vote and who believe that their concerns were ignored. The resulting controversy has probably eroded mutual trust in the City even further and probably has made the task of solving the current political crisis that much harder. This is regrettable.

While important on many levels, I believe that the dispute around this vote is a sideshow to what should be the main event. The main event, and the central focus of all parties, should be reaching a comprehensive political compromise that respects the decisions of the Constitutional Court. Within the framework of such a compromise, I believe that all of these other issues, including financing for the City, could be agreed. This would be a far better solution for Mostar than the alternative – a likely series of legal and political challenges, accusations, and recriminations that will not resolve the core challenges facing the City.

Unless the parties – particularly the two largest ones who have dominated politics in Mostar for so long – commit themselves fully and sincerely to the effort to find such a compromise, I fear that the effort to reach a compromise could collapse and that divisions and tensions in Mostar could deepen further. If this happens, there will be no doubt in my mind, or the mind of the international community, as to who will be to blame. The blame will lie squarely on the shoulders of those parties and political leaders who stubbornly refuse to propose, consider, or accept reasonable solutions.

We in the international community will continue to offer our help to find solutions as long as we believe that political will and flexibility exists on the part of local leaders. It is up to our local partners, however, to demonstrate that they possess the will and flexibility to bring an end to this crisis.