Večernji list: Interview with PDHR Roderick Moore

By: Zoran Krešić

The Office of the High Representative has withdrawn into a shadow for months now, failing to react even when it comes to „serious violations of the Dayton Agreement “if one takes into consideration the criteria for punishments of this political “holy scriptures”. This is a part of the strategy followed by the PDHR, American diplomat, Roderick Moore, who told me with a smile, when I said I’d recorded an interview with Milorad Dodik a week before on the same tape I was recording his interview, that I should take care not to mix these two recordings.

Večernji list: Why has the OHR been – I’d say – in hibernation for some time now?

Roderick Moore: Many people ask us what’s happening with the OHR, there are very many challenges that this country is facing. Why is the OHR silent? I understand the thinking of these people, considering the role the OHR has had for a number of years. But, we do this deliberately and with a purpose. And the purpose is for everyone to realize that the OHR does not intend to stay here fore ever. We wish the local politicians, local actors to take responsibility for decision-making. It is a strategic determination of the international community, in which the OHR plays a key role, to step back. This country wants to join the EU and NATO. This is the 21st

century and this is Europe. It is high time local actors took things in their own hands.

Večernji list: Does this mean that the OHR now hesitates or has no more strength to take the necessary steps?

Roderick Moore: This does not mean we have no capability. To the contrary. But, we prefer the option that the local politicians do their work. In particular, we try to keep aside at this election time. We think it is not appropriate for international representatives to influence the campaign in any way.

Večernji list: Are local politicians capable of leading the country now, having in mind a sort of „dependent“ relationship that has existed for a number of years.

Roderick Moore: Let me put it this way. This country wants to be part of the European Union and NATO. It is unthinkable for this country to be accepted in these two associations if it is unable to make hard decisions on its own. There are clear obligations and values shared between member countries. The only way to test this is for the international community to step back and allow the institutions to do their work.

Večernji list: What is your outlook on the campaign which some analysts say is uninventive and, practically, there is no difference between the local and general elections.

Roderick Moore: My general impression is that even though this is a local election, local topics are not dominant. In the countries I have been to, including the USA, the dominant issues are infrastructure, local transportation, taxes. In BiH, the topics debated are far from local issues and much more about the set-up of the country. But, I’ve heard many politicians say that this election is just testing strengths to be used for reconstruction of governments at other levels. This may well be the case, but they are competing for votes on local issues. If I were a voter, I would be interested in who

will secure employment in local services, whether garbage will be collected….

Večernji list: Knowing all that, if you were a BiH citizen, would you vote in this election?

Roderick Moore: I don't have a right to vote here, but I consider myself to be a responsible citizen in my country and think one should always vote in elections even when none of the candidates are to one's liking.

Večernji list: You have visited the BiH Constitutional Court, and it was said before that the OHR, in a way, interferes with the work of this Court. What did you talk about?

Roderick Moore: Exactly the opposite. The Constitutional Court of BiH is the highest court in the country and when the OHR leaves, this court will be the only institution capable of interpreting the Constitution which is an integral part of the Peace Agreement. Our aim is to strengthen, not undermine the influence of this court. I met Mrs Valerija Galić and expressed my appreciation for the Court's role. I particularly wanted to talk about Mostar because the Court had made a decision two years previously and I wanted to make sure we understood this decision well. I also discussed the issue of state property because this decision is directly linked to the five goals and two conditions for the closure of the OHR, as well as the issue of the Brčko District.

Večernji list: How do you look at the fact that the decision disturbed an agreement between the politicians and that it will slow down meeting the conditions for the closure of the OHR?

Roderick Moore: It is most important that the Court should decide without being under political influence and this happened in this case. Whether this will make agreement more complicated is unimportant for me. The Court has given clear guidelines as to the nature of state property, who is the

title holder and in what direction an agreement should be made.

Večernji list: You spoke a while ago about BiH's wishes to join the EU and NATO. In this sense, what do you think about the politicians' determination with regard to the EU Road Map?

Roderick Moore: The European Union will come out with a progress report soon. Many people in the international community, and in BiH, are disappointed that the deadline the politicians agreed upon – and nobody imposed it – has not been met yet. This is primarily a matter of the EU administration in BiH and we will do everything in our power in order to help them push this country towards the EU.

Večernji list: What is your view of the attempts to implement the Sejdić-Finci decision, primarily the proposal made by the SDP and HDZ?

Roderick Moore: The international community again wants the local parties to agree. This will require adoption of amendments to the Constitution of BiH and it is very difficult to adopt them if there is no broad consensus of the constituent peoples and the parties represented in the Parliamentary Assembly. It will not be simple when many proposals are put on the table. But, if this country's leaders really wish to take this country towards the EU and NATO, then this should influence the decision-making. It's a good test for the political leaders to show how flexible they are in reaching a consensus.

Večernji list: The American Administration has announced that a debate will be launched next year about an internal redesign of the Federation of BiH. What should this process result in?

Roderick Moore: I will comment on this as an OHR official, not an American Embassy one. I was surprised with the number of speculations appearing with regard to this initiative. It is completely logical for me that something like this was

initiated by the American Administration, but by other administrations as well. There is nothing bad in this, and the only goal is for the Federation to function better. People all over the country told me there are too many governments, too expensive administrations. I am sure there are no other motives except to make governments more efficient and provide better services to citizens.

Večernji list: There are different expectations as to what should be the result of the reconstruction of the Federation, since Croats expect to be granted the same rights as Bosniaks, whereas Bosniak parties expect stronger, more centralised authorities. How do you see that?

Roderick Moore: That will not come as a surprise to anyone, and it will be an integral part of the public debate. All those ideas need to come to the surface and be discussed. Croats, Bosniaks, Serbs, citizens – they all have a legitimate right to state their views. Croats believe that in this country they cannot exercise their rights adequately. I believe that we need to take those concerns seriously, and look for a way to deal with that institutionally and in other ways. Maybe that issue could be dealt with through some other things too. You have mentioned the Sejdić-Finci ruling.

Večernji list: That is a completely legitimate issue that should be discussed. I have recently heard that that is what your alleged boss, Mr. Valentin Inzko, said…

Roderick Moore: He IS my boss…

Večernji list: Namely, Inzko expressed some criticisms about the fact that a lot of time is being spent on government reconstruction. How do you see that process, which seems like divorce proceedings?

Roderick Moore: I like the way in which you described the current situation. I want to stress, and that is sometimes wrongly understood, that the OHR really doesn't care much who

is a part of the ruling coalition, regardless of whether it is the canton, entity or state, if they uphold the Dayton Peace Agreement and want to implement reforms so that the country can move forward. We have no preferences although there have been some tendencies to get the international community involved in the local political processes, which I think is harmful. I expect that issue to be resolved as soon as possible so that the country could move in the same direction that Croatia and Montenegro are heading. Unfortunately, what goes on now is a drawing the attention away from important issues. That is what the High Representative will report about in his regular address to the Security Council in November.

Večernji list: Do you think that the OHR was wrong to intervene in the establishment of the Federation Government?

Roderick Moore: I don't think so. We did not ask for this role last year. We intervened with the support of the Peace Implementation Council, since the local authorities were incapable of resolving some very serious issues.

Večernji list: But the state government was in a similar position, and yet you did not intervene there?

Roderick Moore: That was a result of an agreement among the representatives of the international community. In the spring of last year we had a very chaotic situation, starting from the financing of the Federation, two groups of officials who claimed to represent the government. There came to a violation of the Constitution, with a failure to elect delegates in the House of Peoples. That was a very chaotic situation and everything pointed out that at the end of March the situation would be even worse. We took efforts to mediate. The international community unilaterally supported the proposal that this Office presented for the establishment of the Federation Government, but unfortunately it was rejected by the two HDZ parties. In the case of BiH you did not have such a situation when it comes to pending issues, although

unfortunately this country is lagging behind because of it.

Večernji list: You don’t have to agree with me, but I have an impression that the imposition of the government led to the biggest crisis since the signing of the Dayton Agreement, starting from a full blockade, lack of communication in the Council of Ministers and governments in the Federation, cantons, municipalities… complete chaos! The Chairman of the Council of Ministers, Mr. Vjekoslav Bevanda, still claims that the government in the Federation of BiH is illegal.

Roderick Moore: It didn’t have to be that way. The politicians decided to respond in that way. There is nothing illegal or illegitimate about the established government in the Federation of BiH.

Večernji list: Mr. Moore, five does not represent one third of 17 Croat delegates in the House of Peoples [required] for the election of the government, and that requirement is stated in the Constitution of the Federation?!

Roderick Moore: If that is the case, rather than you and me discussing on whether something is legal or not, why did the politicians not wait for a decision of the Constitutional Court on that issue.

Večernji list: But that was their decision?!

Roderick Moore: We want this country’s institutions to do their job. When the High Representative made the decision last year, he said that his decision was in force pending the decision of the Constitutional Court. We were disappointed that Ms. Krišto and Mr. Bevanda withdrew their requests for the reconsideration of this decision.

Večernji list: How do you see the work of the current Council of Ministers, which is also having problems due to government reconstruction?

Roderick Moore: After a delay of many months we were all encouraged by the establishment of the Council of Ministers and within a short time they agreed on principles on how to implement reforms, and adopted some very important laws and the budget. Unfortunately, that didn't last.

Večernji list: Mr. Dodik recently said for Večernji list that he saw BiH as a union of three republics, Bosnia, Republika Srpska and Herceg Bosna. Is that realistic?

Roderick Moore: I did not read the entire interview, but I did read a substantial part, including the part in which Mr. Dodik expressed his 'disgust' for this country. We do not want to get involved in the election campaign.

But I would want to say that the inflammatory rhetoric that we have been witnessing in the last weeks, and I believe it will get even worse, is not helpful. In many cases it seems to me that those people are playing with fire. And when you do that you often get burnt. We do not intend to get involved in this during the campaign, although I imagine that the High Representative will want to consider this issue seriously with the other members of the international community after the elections are over.

Večernji list: Please explain, can we expect the OHR to wake up and proclaim some sanctions?

Roderick Moore: I did not say that, but I believe that that is a very important issue. One of the key things in the Dayton Agreement is the territorial integrity of this country. That is an integral part of the preamble to the Constitution, its first paragraph. In the Dayton Agreement there is no mention of any possibility of change of its territorial integrity. I am not saying that either I or the High Representative are threatening with sanctions, but I do believe that this inflammatory rhetoric has attracted serious attention of the international community. I am certain that the High

Representative will present these issues to the UN Security Council too.

Večernji list: After meeting with EU representatives, Croat politicians in BiH said that in case their request for institutional equality is not accepted, they would ask for the establishment of a Croat electoral and subsequently also federal unit in BiH. How do you see those requests?

Roderick Moore: We do not think that something like that would be helpful. Moreover, we think that it would be counterproductive. I believe that one of the problems that this country is facing is a result of the fact that there have been too many divisions already. Drawing new borders would lead to additional divisions. This country needs greater integration, socially, politically, economically.

Večernji List: As you said yourself, Croats feel frustrated by their position in the country. In which way their position can be resolved in order to avoid the situation in which they are constantly outvoted by other peoples who are in majority?

Roderick Moore: I do not know. I do not think this is an issue that the international community should regulate by a decree. However, there should be a debate opened on this issue. One of the major frustrations of the Croat people has surfaced with the formation of governments. Establishing a proper measure between the rights of the peoples and their numerousness is a key issue here.

Večernji List: When will the OHR close its doors in BiH?

Roderick Moore: The OHR should not stay even a day longer than necessary. It is unusual – I am the first one to admit it – that the institution like the OHR still exits.

It is sad that the institution like this one still exists in Bosnia and Herzegovina. It shows that the international community does not fully believe that the institutions of this

country are capable of facing challenges.

Večernji List: Are you afraid that you might never finish your work?

Roderick Moore: It is not possible because it would mean that people in BiH are not capable of doing what the Croatians and Montenegrins have done already. It will take a while, it will be a lot of ups and downs for sure but this country continues to move forward. It is our aim to reach an agreement on the Mostar Statute by November. According to our opinion poll, 90% of Mostar citizens want a unified administration.

Večernji List: When will the elections take place in Mostar?

Roderick Moore: It depends on your politicians.

Večernji List: But the OHR imposed the Statute in 2004 which was later disputed by the Constitutional Court of BiH!

Roderick Moore: We respect the decision of the Constitutional Court of BiH even when it is issued in relation to the decision of the High Representative. The Constitutional Court of BiH wants to put things in line with the Constitution of BiH.

Večernji List: Your recommendations related to the initial political discussions on the changes to the Statute have been understood by some as your support to the division of Mostar. Is that so?

Roderick Moore: At contrary. The idea is to have Mostar as a single town regardless of the fact that it was not such town at various phases in last twenty years. Several months ago we conducted an opinion poll but we have never published the results. But I can tell you that one of the questions was – do you support the single administration. Ninety percent of Mostar citizens gave a positive reply. We are now entering the discussion process in order to try to render our assistance in

the process of reaching agreement.

Večernji List: Still, do you believe that Mostar should be organized as any other town in BiH, so we no longer have exceptions?

Roderick Moore: The best solution would be the one in line with the decision of the Constitutional Court. Secondly, it would be important to reach an agreement on the electoral system that would be fair and would protect the rights of different constituent peoples.

Večernji List: Some politicians claim that the elections in Mostar will be held by the end of this or at the beginning of the next year, at the latest. Is there any truth in this?

Roderick Moore: We hope that the elections will take place as soon as possible. But there are some obstacles or work that has to be done in order to organize the elections and those would still take at least two, three months even if we had the agreement right now.

In discussions with political leaders we underlined that the objective is to reach the agreement by the beginning of November. We did not say it is the red line but, in principle, that is our objective. I think it is a reasonable deadline for reaching the agreement.