

Inzko: Republika Srpska is an entity of the sovereign state of Bosnia and Herzegovina

High Representative Valentin Inzko made the following statement in relation to an interview with RS President Milorad Dodik published on 26 July 2012 in EuroBlic:

“In my capacity as the final authority regarding interpretation of the Dayton Peace Agreement, as set out in Annex 10, I wish to make several points unambiguously clear.

There is only one state on the territory of Bosnia and Herzegovina, and that is Bosnia and Herzegovina itself. The Constitution of Bosnia and Herzegovina is absolutely clear on this point; indeed, this fact is enshrined in the preamble and in the very first paragraph of the very first article of the Constitution. The sovereign state of Bosnia and Herzegovina was unanimously admitted to the United Nations in 1992.

The Constitution also makes it absolutely clear that Republika Srpska is not a state, but an entity that is part of the sovereign state of Bosnia and Herzegovina. The Constitution of BiH does not leave room for any “sovereignty” of the Entities, and the Entities’ powers are in no way an expression of statehood. Moreover, the Dayton Peace Agreement contains no provision for the RS to be a state in the future.

Bosnia and Herzegovina is not a state union or union of states. Bosnia and Herzegovina is a single, sovereign state whose current internal structure was defined by the Dayton Peace Agreement. State unions have indeed existed elsewhere in the world, but they are structured in a very different way from Bosnia and Herzegovina. Unlike Bosnia and Herzegovina, for example, the constitutional charter of the now-defunct

State Union of Serbia and Montenegro very clearly identified the units comprising it as “states.” Nowhere in international or domestic law are the entities of Bosnia and Herzegovina defined as “states.”

Assertions to the contrary by senior public officials are legally unfounded, factually incorrect and destabilizing. Such problematic statements call into question the commitment of senior officials of Republika Srpska to the constitutional order of Bosnia and Herzegovina, including the sovereignty and territorial integrity of Bosnia and Herzegovina and, by extension, to the Peace Agreement.

It is both senseless and fruitless for political leaders to continue contesting the sovereignty and territorial integrity of Bosnia and Herzegovina defined so clearly in the Dayton Peace Agreement. Leaders of this country should instead turn to the future by delivering the changes that citizens across the country want to see – new jobs and rapid economic development, concrete results in the fight against corruption, strengthening of the rule of law, modernization of the country and long overdue progress on EU and NATO membership requirements.”

Politicians should concentrate on these important issues and work for the benefit all citizens, instead of raising tensions by challenging the constitutional order of the country. As far the Dayton Agreement is concerned, I am the final authority regarding its interpretation, as set out in Annex 10 of the Peace Agreement.”