Interview with High Representative Valentin Inzko

Until when will your temporary decision on suspension of the CEC decisions with regard to the constitution of the House of Peoples and election of the President and Vice President of FBiH remain effective?

As High Representative I have a duty to see the Dayton institutions functioning. The intentional blockade by certain cantons threatened the stability of the FBiH and rendered the formation of the BiH House of Peoples impossible. Both the FBiH authorities and the BiH Parliamentary Assembly are now in place and are functioning. Nor is there any question as to their legitimacy.

You will recall that my Decisions in this regard was intended to remain in force until the FBiH Constitutional Court decides on the issue – and just let me remind you, this could have happened a long time ago had Mrs Kristo and Mr. Bevanda not decided to withdraw their submissions. I still think the Court has a key role to play.

However, the focus now has to be on the formation of the State level Government. The International Community will not decide who will form this Government; this is something that the electorate has obliged the political leaders they supported to do. They made a promise to the electorate and they must now meet that promise.

The meeting in Mostar this week has provided some room for optimism; finally we are seeing an accelerated effort on government formation and announcements that agreement is within reach on matters of substance such as Census Law, State Aid and Defence Property. This is important, as clearly an agreement only on the division of seats will not address the

problems this country's citizens are facing. I sincerely hope it is clear to everyone that political deadlock cannot provide benefits for citizens and that the political parties are now focused on the reforms that are urgently necessary for the country to move forward. Only through concrete action will this country go forward, problems be solved and jobs created. It is the responsibility of those who enter government to deliver this. The readiness to enter into a serious dialogue is a chance to make a breakthrough and like every citizen in this country, I am expecting the political leaders to finally make a breakthrough and to get on with the job of working for the people and taking the country forward.

Peter Sorensen, the new Head of the EU delegation and Special Representative of EU, has arrived in BiH. What do you expect from his arrival, since he has a package of restrictive measures that he can apply?

I have already had an opportunity to meet him and welcome him to his new post. Peter Sorensen is a highly capable professional with a long history of serving in the region. In my opinion the country is very fortunate to have him here. His appointment heralds a strengthened EU capacity in BiH and this is something that I have been pushing for since I took on the mandate as EUSR, so I welcome his arrival with pleasure and relief. Of course Peter and I share the same goals; we want to see BiH become a stable country, irreversibly on the road to the European Union. And together with progress on that front we want to see the lives of ordinary people improving across the country. And the fact is that our two organisations will work very closely together, each benefiting from the other. The EUSR's successes will be the OHR's successes and visa-versa. We are both here to help this country and its citizens and we will work very closely to do precisely this.

How much will Sorensen make your work easier, since he is taking over some of your duties?

The fact that Peter has taken over the position of the European Union special representative means that I, in my capacity of the High Representative can focus on the mandate that has been established by the Dayton Peace Agreement and the UN Security Council.

The role of OHR has not changed: My primary goal remains to ensure implementation of the Dayton Peace Agreement. That will be my focus and in the focus of my team. Dayton provides the framework in which this country's elected politicians can do the job they were elected to do.

I will continue to coordinate the efforts of the international community here in Bosnia and Herzegovina, both through the Peace Implementation Council and the other international organizations present in BiH too.

How much will the reinforced presence of EU in BiH affect the BiH politicians so that they should deal with the tasks that are in the interest of the peoples in BiH?

They should read it as a serious sign of the intentions of the European Union towards this country; neither the EU nor the IC will be leaving BiH with the job still not completed. Our cooperation in achieving that goal is closer than ever. However, this does not mean that anyone from the international community will do the job that local political leaders were elected to do. One way or the other, local politicians will have to do their job.

OHR has recently severely reacted to the meeting of the RS politicians on Jahorina. What was the reason for such a severe reaction, more intensive than the one to the Croat People's Assembly held in April this year?

I have never been against meetings of political leaders, quite the opposite. I would always encourage dialogue as the best way to find constructive and lasting solutions. Obviously where we really need to see the most dialogue is where the

parties are furthest apart.

However, a line has to be drawn when political party officials or the executive branch attempt to interfere with the judiciary by summoning them to a political meeting and threatening consequences if they do not attend. That is not how independent institutions and the rule of law function in democracies. I firmly believe that the judiciary has no business attending a party-political meeting and the threat of consequences for those who chose to act professionally and uphold the independence of their posts is utterly unacceptable.

Who do you think is responsible for the fact that almost a year has passed and the Council of Ministers has not yet been not formed?

One thing is certain: the biggest political parties have the biggest responsibility and they are responsible for the current situation. They were elected to work in the interests of all the citizens, and yet thus far they have failed to do this. I hope that these politicians are able to hear what people are saying. The people I talk to on a regular basis tell me that what they want are jobs, better living conditions and good schools for their children. In BiH almost half a million are unemployed, and pensioners live on the verge of poverty. I think party leaders have a duty to live up to what they were promising this time last year, before the elections.

Are you in favour of respecting the principle of rotation when it comes to the formation of the Council of Ministers of BiH, since it has been the practice so far?

I already expressed my view on 3rd October that it would be correct for a Croat to take the position of Chair of the Council of Ministers following the last elections. However, it is up to the political leadership of this country to decide how they will form the Government, which Ministers will take

which positions, not the High Representative. From my perspective, the most important thing is that the Council of Ministers is established in line with the Constitution and the Dayton agreement and that it begins delivering on long overdue reforms.

Milorad Dodik, President of RS, has requested from the RS institutions the information on the cost of the institutions of BiH. What do you think about that and do you think that there are the institutions or Agencies at the level of BiH that do not justify their existence in terms of spending too much money without any visible effects of their work?

The 2011 State budget proposal that is pending before the BiH Presidency does not foresee a budget increase: it has been kept at last year's level despite the new obligations requiring financial coverage. This budget proposal allows only for maintaining last year's level of operations of the State institutions, not for any further capacity building or enhancement of State functions. This, together with the other budget cuts and saving measures at the State level, in fact demonstrates the State institutions' financial responsibility in these difficult economic and social circumstances.

I want to dismiss another misperception. The State does not create a financial burden for the entities; on the contrary, it contributes to their economic and fiscal position. First, by assuming new competences, the State has also assumed additional financial obligations that have previously rested with the entities. The transfer of competence in the case of indirect taxation, for example, has also resulted in strong indirect tax revenue growth that has first and foremost benefited the entities. Let us also not forget that around 8,000 State-level employees come from the RS. Those people predominantly live and spend their earnings in the RS, and so directly contribute to the RS economy. As their social contributions and income taxes are also paid to the RS, they directly support the RS's fiscal position too.

I also have to add that I am very concerned that a budget for the state institutions has still not been adopted for this year – despite the fact that we are already in September. This weakens the state institutions, threatens assistance from international donors, and would create a very bad precedent if the year ends without a budget. I do not think that this should be allowed to happen.

Will you do anything because of illegal dismissals and "purge" of Directors, Steering and Supervisory Boards in the companies and Agencies in FBiH?

The challenges that the FBiH Government is facing are numerous and it is now that government's duty to prove that it can deal with them. They have taken certain decisions, which have been challenged by some, and of course like all governments they will be held accountable for their policies and actions.

What do you expect from the structural dialogue on the judiciary in BiH? Are any bigger reforms in that respect, in terms of formation of the High Judicial and Prosecutorial Council at the Entity level, possible at all?

The dialogue has my full support. It is a real opportunity to build on existing successes in improving the Rule of Law in the country, and as you know, OHR was involved in many of these efforts. I am extremely pleased that the structured dialogue has started and confident that this is a process that will genuinely lead to further improvements, not least in the interests of citizens. There can never be too much support for the judiciary. So let me repeat, the dialogue has my full support. 100%.

Are you of the opinion that the country in which two out of the total of three peoples are not satisfied can survive and based on what?

Bosnia and Herzegovina is a sovereign State, recognised in 1992 by the United Nations, which in 1995, based on the Peace

Agreement underwent a transformation. The question is not whether Bosnia and Herzegovina will survive as a State. It will. The question is the following – how long it will take for the country and the political leaders to agree, adopt and implement the reforms that are necessary to transform the country so that its citizens can live their lives with dignity and take up their rightful place inside the EU family. I believe in this country and I believe in the people of this country and I want the best for them, but we have reached a point where the political leaders need to start putting ordinary people first. Let nobody be in any doubt, politicians delivering reforms bring benefits for all: for Serbs, for Croats, for Bosniaks, for all the people of this country. What we now need is for political leaders to understand that dialogue and a readiness to talk and to reach compromises is a strength and not a weakness.

I believe that ordinary citizens are more and more aware of this and that every day they become more critical of those politicians who instead hide behind nationalist rhetoric and talk of threats that do not exist. The greatest threat to the people of this policy is a continuation of the current way of doing politics. What I hope to see in the State Institutions and at all levels of government during the next three years is a change in the way politics is done that delivers meaningful change and that takes the country forward and decisively towards the EU.