

Interview: Miroslav Lajčák, EU Special Representative/High Representative in BiH: “I do not want to be the general after the battle”

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Bosnia is unique in terms of the complexity of its system of government, and the way in which the Federation is organised is certainly not a model of functionality and simplicity. It is a vicious circle, which demands the re-opening of Dayton...

The decision of Miroslav Lajčák, the High Representative for Bosnia and Herzegovina, to seize ID cards and passports belonging to the wife, son, daughter, and son-in-law of the Hague fugitive Radovan Karadžić, again stirred up feelings and upset many in Bosnia. On both sides of the Drina River, in Republika Srpska and Serbia, Lajčák's enterprising spirit has been interpreted as an attack on everything Serbian. Amid a lack of information or evidence, media have concluded that Karadžić's closest family members are not helping the most wanted Hague fugitive evade justice. The innocence of a family suffering because of the father's sins (crimes) has been highlighted, as well as the fact that the international community is constantly violating their human rights, because Karadžić's family is living in the hell of constant psychological harassment, searches, threats and surveillance by EUFOR, local police and who knows who else. Sitting cosily in a black leather chair in Sarajevo, without any uneasiness or hesitation, Lajčák clarified for NIN why he took this

decision and what he wanted to achieve by it.

Miroslav Lajčák: I took this step based on a request from the Hague International Tribunal. The facts that I am familiar with clearly indicate that it is reasonable to believe these people are connected with him.

NIN: *What are concrete pieces of evidence against them?*

Miroslav Lajčák: The nature of information I received left me without any dilemma. Victims of these two criminals, as well as people in Republika Srpska and Serbia, deserve to get rid of this burden. I think that people in Serbia are not aware enough of how high a price you have been paying for years because these criminals are still out there somewhere at large.

NIN: *Do you have evidence that they are not in Bosnia?*

Miroslav Lajčák: Let's not use that word "evidence", because that is judicial terminology. Let's call it information. I am not the most responsible person in this matter. We have institutions dealing with this and I have my competencies, including decisions such as the last one, which, I believe, will close the net around these people who should be in The Hague.

NIN: *Since you mention the Hague Tribunal, we must note that Serbia gets punished every time Carla del Ponte visits Belgrade. Are you and BiH also suffering the criticism of the Hague Prosecutors?*

Miroslav Lajčák: We must separate two issues here. The first one pertains to where these people are hiding and who is helping them, and the second issue is whether there is reasonable doubt that state institutions are helping them stay in hiding. For me it is crucial to know that the institutions of Bosnia and Herzegovina, and Carla del Ponte confirmed this during a meeting, are providing full support and cooperation.

NIN: *Do you suspect the institutions of BiH?*

Miroslav Lajčák: I do not have such a feeling, or any information that would lead me to think that. The fact that these people are not in The Hague is a tremendous problem, but for me it would be equally problematic if I suspected that state institutions are involved.

NIN: *And what about Serbia?*

Miroslav Lajčák: I do not want to go into details because I was not there, but according to my information, I would say that the problem with Serbia is the fact that state institutions were unable to eliminate suspicion that they are supporting these people. Later on it also came to light that democratic authorities were involved, even when they were saying they did not know where these people were.

NIN: *Are there structures in Republika Srpska that are not a part of the state apparatus, but are informally aiding Karadžić and Mladić?*

Miroslav Lajčák: I do not want to get into speculation of that kind, but one thing I have no doubt about is that Prime Minister Milorad Dodik has absolutely no interest in protecting these people.

NIN: *You say that...*

Miroslav Lajčák: Knowing his history and background from back then.

NIN: *Speaking of history, what are the concrete things for which you are grateful to your predecessors, and what are the problems they left for you to solve?*

Miroslav Lajčák: I would have preferred to have found Bosnia in better shape, twelve years after Dayton. Having said that, I am not implying that the job was poorly done or that not enough was done before me. I was not here during the twelve

years and I do not want to be the general after the battle. Each of my predecessors was here at a different historical moment, and the majority of what was done in Bosnia is positive and it was done owing to the investment and support of the international community.

NIN: *But mistakes were made too, right?*

Miroslav Lajčák: Some things did not turn out as planned. Objectively speaking these are mistakes, but I do not think they were made intentionally. We do not have a single economic space, a logical and complete system of judicial authority. When it comes to the fight against organised crime, we cannot say that the work is finished... However, a lot has been done and it would amount to mere academic speculation now to analyse in detail whether more could and should have been done.

NIN: *Why are you tackling police first, and not the Constitution for example? Did you think that police reform would be easier?*

Miroslav Lajčák: European integration and changes to the BiH Constitution are the two most significant strategic challenges for my mission. Police reform is a direct requirement for signing the Stabilisation and Association Agreement, which is of vital importance for BiH. The question of police is a technical obstacle on this road, and logically the first one we must resolve. Furthermore, let me remind you that I inherited the issue of police reform, that all three parliaments in this country voluntarily accepted police reform as a condition for signing the SAA. For two years, nothing has been done.

NIN: *Do you not think that politicians in BiH are delaying this reform because they are afraid you want to abolish the entities?*

Miroslav Lajčák: The entities are a constitutional and

political reality, established by Dayton. The international community wants to help this country and I really do not think that it is something that can be interpreted as abolition of the entities. This is not a system of “connected vessels”; more Bosnia and Herzegovina does not mean less Federation or RS. The idea that we are pushing this country towards European currents and it is defending itself is completely insane to me. I said I would not do something like that because it is offensive for the very idea of European integration, in which I deeply believe. As long as political leaders do not realise this themselves – it will be pointless! The European Union can wait, it can afford the luxury, but the question is whether Bosnia can afford the same. When our political partners realised this is our opinion, they changed their attitude and a process was launched, not that ambitious though, but a process moving towards that general goal.

NIN: *What is the essence of this process?*

Miroslav Lajčák: Documents such as the Mostar Declaration, the Action Plan, the drafting of the law on police reform, all have the full support of the six parties from the ruling coalition. I would say that the idea of European integration has become grounded in reality.

NIN: *It is not uncommon in Bosnia for things to move forward very slowly, step by step, until one of the politicians gives a public statement that irritates “partners” from the other entity. What can you do to prevent that?*

Miroslav Lajčák: Of course, things will not run smoothly on this road either, but what is important is that we have entered the process and that political figures realise that irresponsible behaviour has consequences right now. Every move you make produces some kind of effect – it stops, delays, or accelerates the process of European integration, in which 70 percent of citizens of this country believe. Right now every politician knows that he/she will have to explain how they

have taken the liberty of denying this country and its citizens the European perspective.

NIN: *And what if, regardless of that, some of them continue in their stubborn ways?*

Miroslav Lajčák: We will not hide the fact from the domestic or the international public that one or other political power or politician has done this, so let them bear responsibility and be accountable to their voters for stopping the process of European integration.

NIN: *Then how can the atmosphere of distrust be overcome – perhaps by dismissing the stubborn ones?*

Miroslav Lajčák: This simplified perspective of the general public – “dismiss this one, dismiss that one”, will bring nothing better for anyone. Political parties and politicians in BiH, as they are right now, are the product of an atmosphere arising from Dayton, where national interests, real or alleged, are placed above those of the state. I would like people in BiH to understand that together they represent a political force, and that they have the right to ask politicians to lead them to European integration, instead of a situation where some political representatives use nationalist rhetoric just as a cover for non-transparent interests and actions.

NIN: *For twelve years, Bosnian politicians have preferred to choose the status quo instead of tackling constitutional change. Where is that middle ground in efforts to find a constitutional model for BiH?*

Miroslav Lajčák: All constituent peoples have their opinion, and they are quite different. The second best option for everyone is the status quo. Bosnia and Herzegovina is unique in terms of the complexity of its system of government, and the way in which the Federation is organised is certainly not a model of functionality and simplicity. What you are talking

about is a vicious circle, which demands the re-opening of Dayton. If you are raising this issue, then let's talk about the overall situation, because this is not a "played card" process.

NIN: Are you in favour of changing the Dayton Agreement?

Miroslav Lajčák: I personally think it should be superseded. Bosnia and Herzegovina is in a phase when it needs a modern constitution in order to face all the challenges ahead of it, primarily European integration. However, I am far from wanting to impose something like that. In order to change the Constitution we must have the necessary atmosphere, and the leaders' readiness.

NIN: Politicians such as Silajdžić and Tihić are talking about changing Dayton. Are politicians in Bosnia truly ready to dismantle Dayton?

Miroslav Lajčák: This is not the case and everyone is aware of that. All constituent peoples still view constitutional change through the prism of their respective national interests, which is logical. In my opinion, this is not a good starting point. Another prevailing opinion is that a stronger BiH state automatically implies weaker entities. I absolutely disagree with that, but it would be irresponsible to drag domestic politicians into a process if they are not convinced that they want to achieve something together. Simply speaking, everyone in Bosnia and Herzegovina must agree that it is time for change, and that everyone will lose without such change.

NIN: *Therefore, the entities will stay, but what about the cantons? There are many. BiH is, indeed, a poor country with 14 governments, around 400 ministers, and where does all that lead?*

Miroslav Lajčák: Of course, this is also Dayton architecture, which might be reviewed in the process of adopting a new constitution, but a new administrative and territorial

architecture of the country will only be possible when all three constituent peoples are ready for it. It is up to them to decide to what extent and in what way they will change that.

NIN: *Paddy Ashdown claimed some time ago that he would be the last High Representative for BiH. Do you think that the situation has indeed matured enough to abolish this function?*

Miroslav Lajčák: Despite the fact that one part of the country perceives the High Representative as its enemy, while the other perceives it as an instrument for accomplishing their plans and ambitions, it is a fact that both sides share the following attitude: why would we get engaged in any negotiations and work hard to find a compromise or a consensus, when it is easier for the High Representative to do that instead of us? The international community, personified in the High Representative, including his Bonn powers, is needed in BiH.

NIN: *You say for yourself that you are a perfectionist and that you always try to fulfil your objectives 100 percent. Will you leave BiH unhappy if the police are not reformed and if a new Constitution is not adopted?*

Miroslav Lajčák: For me, the crucial question is in what state BiH will be when I leave. Both police and the Constitution are important, but I do not measure the success, or failure, of my mission only by these issues. It is important that the country is stable and functional, and that it does not stray from the road towards European integration. All other things are of secondary importance.

NIN: *Can you do all this by the end of your mandate?*

Miroslav Lajčák: Make the country functional and stable? Of course, that is my ambition; otherwise I could not leave Bosnia and Herzegovina content.

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