

Interview: Christian Schwarz-Schilling, High Representative for BiH: “Bosnia Stalled by Politicians”

Vesti: BiH is facing reforms, especially police and constitutional reforms. Do you believe that local politicians can reach agreement without being influenced, as they have not been able to do so, even under pressures?

Christian Schwarz-Schilling: All politicians – in Bosnia and Herzegovina and elsewhere – need to be influenced, in the first place by the electorate. Reforms are not being advocated for their own sake. They are being advocated because they will deliver practical benefits to the people of Bosnia and Herzegovina and because they will provide this country with the prosperity and security that come from membership of the European Union and NATO. As long as they are constantly reminded of this I believe BiH politicians will focus their efforts enough to complete the necessary reforms.

Vesti: There are thoughts in RS that the issue of police reform could be solved much easier if the stance of the RS PM Dodik is accepted, that the work of Police Directorate is illegitimate, and that political negotiations should take place again. Have all these months, since the Police Reform Agreement was signed, been lost, considering the stance of Serb side?

Christian Schwarz-Schilling: The RSNA, the FBiH Parliament and the BiH Parliament all signed up to the political Agreement of October 2005 in which they accepted the three EU Principles of police reform. This was a precondition for starting talks on a SAA with the EU. The Police Reform Directorate, whose work is based on the CoM decision of December 2005 has accomplished a great deal and can deliver its report by the end of this year. Last month the EU Foreign Ministers expressed support for the work of the Directorate.

When the parliaments signed up to this reform they did so for the reasons I cited above – police reform will deliver tangible benefits to citizens in the form of functional policing that is effective across BiH. It makes BiH a more capable partner to the effort to strengthen international security, and I am assuming Mr Dodik wants this as much as citizens want it. They have had enough of crime.

Vesti: Will the final solution for police reform be, at last, based on Police Directorate SB report?

Christian Schwarz-Schilling: The Directorate is responsible for producing technical proposals from which BiH's Police Reform will develop. Once BiH has agreed this reform it will be assessed by the European Union for compliance with the three principles. The reforms technical viability will be one of the points that the EU will consider. There is no doubt that solutions can be found that accommodate all interests, but that are in line with the three EC principles.

Vesti: Do you find acceptable the RS stance that entity level MoI has to be preserved and that there will be no crossing of inter-entity boundary line?

Christian Schwarz-Schilling: There is nothing in the three principles, or the October political agreement that says that the RS Ministry of Interior has to go, nor is that the aim of this reform. But the Ministries of the Interior will have a different role from today. The third principle states that policing regions need to be based on technical criteria. Given this requirement I am yet to hear a convincing argument to that the Sarajevo metropolitan area should not be one policing area. However the Directorate is about to start defining the technical requirements for functional policing areas so let's wait and see what they propose.

Vesti: Your statement that, in the second phase of constitutional changes, entity vote should be considered and replaced by a more acceptable model, has met with great disapproval in RS. What would be your objections to entity vote and what would be the model to replace it with?

Christian Schwarz-Schilling: The proposal that narrowly failed in the spring is a critical first step towards a broader reform process, one that must be owned by Bosnia and Herzegovina's Parliament and civil society. In the future, Bosnia and Herzegovina will need a constitution compatible with EU standards and values. Whatever the

solution it is one that needs to be agreed and supported by all of BiH's constituent peoples.

Vesti: What do you think about the idea of BiH composed of four federal units?

Christian Schwarz-Schilling: The point of constitutional reform must be to produce a system that works, and works for all citizens. But as I've indicated that question needs to be agreed and supported by BiH's constituent peoples.

Vesti: In case the reform processes in BiH do not proceed in right direction and if satisfying solutions are not achieved by 01/07/07, will OHR mandate be extended?

Christian Schwarz-Schilling: The Peace Implementation Council will review this question in February. I am not going to pre-empt their decision.

Vesti: Your vision of BiH in four years?

Christian Schwarz-Schilling: More prosperous, secure, democratic and well on the way to full EU membership. It is possible – but only if politicians are pragmatic and forward looking. There is already clear consensus in support of most of the necessary reforms – these reforms should be (and can be) carried forward successfully with focused administrative and political effort. On the remaining reforms where there is not yet general agreement, let's get down to negotiations without further delay so that we can start implementing agreed solutions without delay. The worst failing of politicians in Bosnia and Herzegovina is that they appear to believe they have the luxury of time. They don't. Citizens are impatient for jobs and higher living standards.

Vesti: In RS, complaints are often heard over the work of BiH Court and Prosecutor Office, objection being that they neglect war crimes committed against Serbs. Are you satisfied with their work, and when can we expect international judges and prosecutors to be withdrawn?

Christian Schwarz-Schilling: I understand that the State Court has confirmed indictments for crimes against the Serb civilian population as well. I believe citizens in both Entities are relieved that those who committed war crimes are being tried and sentenced. A crime is a crime – whoever commits it. International judges add an important capacity to the BiH judiciary but their presence was always temporary only and as the State Court strengthens as an institution so the international presence is being reduced.

Vesti: BiH Court first instance decision in case "Privredna banka Srpsko Sarajevo" has shown no evidence that the accused financed and helped the escape of Radovan Karadzic. Will this decision influence your decision upon eventual request of Mirko Sarovic and Milovan Bjelica to abolish the decision taken by previous HR, Mr Paddy Ashdown, which banned performance of any public duty, even in political parties?

Christian Schwarz-Schilling: The process is yet to be finalised therefore it is too early to make any kind of comment in this regard. I have made it clear that the process on which we are now embarked to review removals and, where appropriate, to allow removed officials to return to public life, explicitly excludes those who were removed for reasons related to ICTY violations.

Vesti: Upon withdrawal of OHR from BiH, will all the decisions regarding removal of all officials thought to be part of network hiding Hague suspects, and therefore, obstructing the DPA remain in force?

Christian Schwarz-Schilling: The quickest way to resolve this is for the authorities in the RS to meet their obligation to cooperate fully with the ICTY. The RS needs to play a proactive role in apprehending all indicted war criminals and in shutting down their criminal support networks.