Interview: Christian Schwarz-Schilling, High Representative of the International Community in BiH: “OHR will have an important role in constitutional change”

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The High Representative Christian Schwarz-Schilling travels to the USA next week, where he is going to meet with representatives of the American administration and international financial organizations, as well as with the UN Secretary-General, Kofi Annan and report to the UN Security Council. We talked to the German diplomat before his departure to America, about this visit, constitutional change, decertified police officers and the establishment of the new HDZ.

VL: Having heard from various representatives of the political parties in BiH do you believe that constitutional changes will be adopted in the State Parliament?

SCHILLING: I believe so; recently I have not received any signals that this will not happen. Therefore, I believe that a sufficient number of representatives will support constitutional changes.

VL: It appears that the votes of Croat representatives will be crucial. Was it possible to find a better solution during the

negotiations with regards to entity voting in the State Parliament?

SCHILLING: Considering that this package was negotiated over several months, of course better solutions could have been reached than those that are accepted now. However, as far as the proposals themselves are concerned, they went in different directions. One, for example, went in the direction of majority voting, while the other was about voting by peoples. These proposals were completely different: citizen-based on one side and voting with veto rights on the other. Currently, there are no other possibilities so that this solution remains. Everyone agrees this solution is not good, but offers a solution to these two completely opposite directions.

VL: One has an impression that accepting the proposed constitutional changes would not be a problem if there were strong enough guarantees that there would be a new stage of negotiations after the elections on the issue of the internal organization of the country?

SCHILLING: I do not know how strong a guarantee you need. So far all leaders have been saying there would be a new round of talks, and secondly, the chief mediator, the American ambassador and the American Secretary of State, said that there would be a second round of talks. Guarantees are surely closely related to the first round of talks because only if the first round of talks is adopted can there be a second round. Without the first round, there will be no second round. So, it depends on the politicians in BiH and their behaviour whether there will be a second round. Also, the second round needs to be prepared and I wish to say here that OHR will be fully involved in the second round of talks. We will have an active role, without placing ourselves on either side. What other guarantees can you ask for?

VL: I asked this question for the simple reason that RS leaders are saying that they would accept the second round of

talks if they address the issue of reorganization of the Federation, not of the whole of BiH.

SCHILLING: We are not speaking here about conditions or preconditions for talks, but we are talking about BiH and the Constitution. Anything beyond this would be nonsense.

VL: You mentioned a more active OHR role in the second round of constitutional changes. Does this mean that your office will take on the role of presiding over the negotiation process from the American Embassy?

SCHILLING: I will only say we will have an active role. That is all I can say at this time.

VL: Next week you will be travelling to the USA. Who are you going to meet there and what will be the main topics of these talks.

SCHILLING: First I go to New York. I will meet there with the UN Secretary General Kofi Annan and other UN officials. I will also meet with the UN Security Council. I am going to New York to report on BiH, on the situation here, on the transition of OHR into the EUSR. We will also talk about the SAA process and I will be explaining these issues together with BiH Prime Minister Adnan Terzić. We will also address the issue of the decertified police officers. This is an important topic and we must try to resolve this situation while upholding respect for human rights. I hope we will find an appropriate solution in the Security Council as to the approach to this problem and how to bring it to an end after the situation that was created after the departure of the UN mission from BiH. I must point out that international organizations in BiH must also work respecting human rights. I stick to my principles and I apply them in all situations, such as the status of persons removed from office by OHR. We are starting to resolve those cases where there were no court proceedings and where there are no adequate court decisions.

VL: What are you going to say to the Security Council? How will you describe the situation in BiH since you took office?

SCHILLING: I don't want to go into details concerning my report, but I can say generally that I will mention the progress BiH has made, including the adoption of reform laws. There will be talk about the needs of the future, reform of the constitution, regulating the economic space, fighting unemployment, developing small and medium companies, stimulating foreign investments and improving communications between the EU and BiH.

VL: Do you think the Security Council will in the end accept a review of the police certification process in BiH?

SCHILLING: If I did not think this was a realistic option I would not be going to the Security Council to advocate for this process. Of course, it will depend on the explanations and quality of the proposals given to them. However, when the Security Council hears what the High Representative has to say and after evaluating the quality of the proposals, they will assess whether and how they will start a review process.

ON CROATIAN DEMOCRATIC UNION

"Old" HDZ needs reform

VL: How do you see the establishment of the new HDZ? Have you had an opportunity to acquaint yourself with what HDZ 1990 advocates?

SCHILLING: We need to wait a little in order to get a clear picture about that. I think it is a normal process; everyone has the right to establish a new, or rearrange an old party. That is a democratic process. The time of one big HDZ as the main voice of the Croat people is passing, and now, it seems, there will be more voices to represent one people. I hope

that, because of the appearance of a new party the “old” HDZ will move into a new era, a new phase, and see that unless it reforms it could end up in a cul-de-sac. I am saying this bearing in mind the HDZ’s membership in the EPP. The HDZ needs to correct the mistakes that it may have made and return into the EPP fold.