High Representative Comments on Vote on Chairman of Council of Ministers by the BiH House of Representatives

The High Representative, Wolfgang Petritsch, after Wednesday's rejection of the proposed candidate for the Chair of the Council of Ministers by the BiH House of Representatives, expects the Presidency to appoint a new candidate without delay and constructively. This means that the Presidency must take the November election results and seat distribution in the House of Representatives into account and make sure that the new candidate is likely to be approved. A constructive approach in implementing election results is a normal expectation from any democratic European state and a constitutional obligation.

The requirements of the EU Road Map and the Council of Europe are clear as to what steps are required of the elected representatives of BiH. Until the Council of Ministers and the new governments at Federation and Canton levels are formed, there can be no progress in meeting these requirements.

The High Representative is concerned with the behaviour some senior officials and parties displayed during the protracted session on Wednesday. He condemns the inflammatory and threatening language used by some of the deputies and officials, in particular the distorted comparisons to the pre-war time and threats to block BiH's institutions.

Although he agrees with Mr Jelavic's statement that it is "unbelievable" that three months after the elections the governing authorities have not yet been formed, he is acutely aware of the fact that this statement comes from the president

of a party that is most obstructive when it comes to forming the legislative and executive bodies at all levels. In addition, Mr Jelavic as the Croat member of the Presidency nominated a candidate who he was aware was not likely to be approved by the House of Representatives.

The High Representative is also concerned by the behaviour of the SDS, which joined the HDZ in questioning the constitutionality of the House of Representatives vote with the argument that there is no House of Peoples. The SDS even went as far as refusing to participate in the voting for this reason.

Firstly, to clarify: the endorsement of the Chair of the Council of Ministers does not require the approval of the House of Peoples, so it is irrelevant whether the House of Peoples has been formed or not. This was communicated in a letter to the Chairman of the House of Representatives by the Senior Deputy High Representative, Matthias Sonn, on 29 January 2001, and in an OHR press release issued on 12 January 2001.

Secondly, the SDS leadership has committed itself, in writing, to “establishing and consolidating self-sustaining Common State Institutions”, “co-operation with the international community” as well as to respecting the “obligations of the Dayton Peace Agreement” in a signed statement on 12 December 2000. The behaviour the SDS displayed on Wednesday was in contradiction to this pledge. The High Representative will follow up on this.