

Interview: Hanns H. Schumacher, Senior Deputy HR “New Government with six Ministries”

The Council of Ministers (CoM) is supposed to have in the future one chairman, two deputies and six ministries. This was stated in the proposal from the Office of the High Representative addressed to BiH officials. Instead of three, as was the practice up to now, the CoM will have six ministries: the Ministry of Foreign Affairs, Ministry for Economic Relations and Foreign Trade, Ministry for Civil Affairs, Ministry for Transport and Communications, Ministry of Finances and Ministry for Legal Affairs. We discussed this proposal with Ambassador Hanns Schumacher, who was announcing the establishment of a single chairman of the CoM before the elections.

Mr. Schumacher, what will be the structure of the BiH CoM? What is there in the proposal that your office has made?

The intention of OHR is that the new CoM is established as soon as possible and should be much more efficient. If we find ourselves able to negotiate about amendments to the Law on CoM in a manner that will enable immediate establishment of this Council, we shall do so. But we cannot allow a vacuum. We cannot allow the situation from 1996 to happen again, when it took many months to establish the CoM. We made some suggestions about the issues we consider important and now we are waiting for the new Presidency to appoint candidates for the chairmen.

Is the CoM going to have one Chairman and two co-chairmen as has been suggested so far?

In our suggestions, I emphasise suggestions, that we want to discuss with those who are responsible, we focused on three subjects: firstly, the issue of the chairman. The constitution says one chairman, but in 1996 it was agreed that we have two co-chairmen and one vice-chairman. It is unacceptable for us to keep on rotating the two co-chairmen every week. This principle was only damaging the work of CoM. If the sides agree to have only one chairman, who would lead this body for some longer time, we would gladly accept it. However, knowing the situation, I doubt it will come to that. We proposed rotation between the three chairmen from the three ethnic groups, to be carried out in the same manner as in the Presidency of BiH, every eight months. The duty of the chairman is to enable coordination between the CoM and the entities, and there would also be a joint state body, which would consist of the chairman of the CoM and two premiers from the entities. Should such a principle be agreed, there would be no second co-chairman and vice chairman – there would be only one chairman and his two deputies. They would be responsible for different areas: one deputy would be responsible for the coordination of forces for entry into European Integration, and the second would deal with financial issues and economic development.

Who will be the CoM Chairman in the first eight months?

Should such a principle of chairmen rotation be adopted, the CoM Chairman and the BiH Presidency Chairman cannot be from the same nation. Since the chairman of the Presidency in this situation is Zivko Radisic, I suppose the next CoM Chairman might be Haris Silajdzic. These are all just proposals that still have to be discussed.

You also proposed increasing the number of ministries?

The future CoM should have six ministries. In my opinion, the Ministry for Foreign Affairs and Ministry of foreign trade have very good fields of work and they should remain as they are. But, the Ministry for Civilian Affairs and Communications was dealing with many issues, so it was difficult to resolve them all. That is why it was suggested to divide this ministry into a Ministry for Civilian Affairs on the one hand and the Ministry for Transport and Communications on the other. A way for the CoM to deal with legal issues and issues of human rights will also have to be found. This has not been the case up to date so one of the ministries will have to deal with this matter. The CoM will also have to find the way to deal with finances and enable its own budget. That is why it is necessary to establish the ministry of finances. I wish to remind you that the state budget was established for the first time this year, and by contributions from the entities. The alternative is to find a way of enabling the CoM to have its own resources for the budget. Since this is the most difficult problem, the OHR will establish a task force in order to obtain an opinion from experts about the issue. Firstly, we have to see if this is possible and, if it is, how to achieve

it. We still do not have defined attitudes on this issue.

You sent your proposal of the CoM structure to BiH officials.

We have been working on this proposal for several months already, closely cooperating with experts and members of the CoM. Carlos Westendorp handed these proposals and suggestions to the BiH Presidency members at the first informal meeting last Tuesday. I have personally informed the three CoM co-chairmen of our proposals for the new organisation of this body. I wish to emphasise one more time, these are suggestions and proposals about which I want us to talk with the people who will be responsible for the future work of the CoM. I wish to point out that the discussion on the reform of the Council will not delay establishment of the new government. Therefore, if necessary, we shall continue working with the CoM organised in accordance with the former stipulations.

Did you receive a reply from BiH authorities to your suggestions?

We have received a clear answer only from Dr. Haris Silajdzic, CoM Co-chairman, who objected to the principle of ethnic parity between the chairmen and the ministries. I wish to remind him that ethnic parity in the CoM was agreed on two years ago and it seems to me that the sides will not be willing to quit what they have agreed in the past. I do not think the sides will agree to cancel this principle.

What did you suggest?

We have proposed a structure of the Council based on ethnic parity: the three chairmen will be a Bosniak, a Croat and a Serb, and six ministries will be equally divided: two Bosniaks, two Croats and two Serbs. As for the deputies of ministers, it was suggested to allocate nine seats amongst the three constituent nations, and to allocate three deputy places to those from "other" nations. This is because it is necessary to enable the presence of non-constituent minority nations in the higher bodies of the state. Considering the fact there are now nine new members of the Council, it was suggested that deputies do not have to be present at the sessions, but the ministers only.

Who shall lead the ministries?

We did not suggest this and the sides must agree about this themselves. I think appointment for the ministries should not be done based on the ethnic principle, but based on capabilities. I wish to say that what we are presently working on reaches beyond the boundaries of Dayton and the Constitution and that is why we can work only in full cooperation with the sides. I emphasise that the High Representative will not impose any solution, but the sides have to agree about it.

Do you have a deadline for making a decision about the CoM structure?

We hope agreement will be reached in the next three or four weeks just like the way the amendment to the Law on CoM should be adopted. Thus, the new body could start working in accordance with the new regulations. However, I doubt this will be possible after the reply I have received from Haris Silajdzic. I do not know about the viewpoint of the new Serb member of the BiH Presidency. The whole discussion can begin only when we know who are the candidates for the chair of the CoM, and what the BH Presidency ministers suggest. That is why we call on the Presidency members to make decisions on the personnel structure of CoM as soon as possible. We cannot wait for too long for we must not allow the present CoM to work as some sort of interim government, when it is necessary to make numerous decisions.