

Nezavisne novine: Interview with HR Valentin Inzko

By Dejan Šajinović

Nezavisne novine: Could you summarize the PIC conclusions for our readers?

Valentin Inzko: The PIC Conclusions express the united view of the International Community on a range of issues that are a part of the political discussion in BiH. They were adopted in their entirety by the whole PIC, without any footnotes or differences of opinion, including the separate text on glorification of war criminals.

The International Community would like to see the authorities at all levels meeting the commitments which they have made to conduct reforms in the interest of citizens. In particular, BiH needs to focus on EU integration issues, such as making the public administration more efficient and “providing a comprehensive and single set of answers to the Commission questionnaire”.

You will also see from the communique that the International Community strongly opposes further divisions and blockages in BiH. It includes a list of issues in which the International Community encourages BiH to find solutions on pending issues in a way that does not lead to further divisions. For example, the International Community wants a resolution for the Ljubic case, the Mostar Constitutional Court decision and school issues in Jajce and elsewhere.

Also, the International Community would like to see BiH and its institutions become more functional and the authorities more effective. There is a clear appeal to this end in the communique, and also very clear opposition of the International Community to undermining of state level institutions.

The PIC also unanimously expressed its support for the High Representative’s mandate, as well as the territorial integrity of the country, including a clear message that the entities do not have the right to secede.

Nezavisne novine: How do you assess the political situation in BiH? In relation to 2016, when we had the referendum, preparations for sanctions, elections, census and all those problems coming on like on an assembly line, do you see any positive trends or 2017 was just a break for the 2018 election year, where all these “frozen conflicts” will re-surface again?

Valentin Inzko: The overall political situation in the country can best be described as unpredictable. Two trends, one positive and one negative, continue to exist. There have been some positive developments, especially with regard to the EU integration agenda. On the other hand, there have been negative developments as well, which have taken the energy and focus away from real issues.

If we look at the last year – whether it be the controversy over the potential ICJ revision, the referendum held against decisions of the Constitutional Court, or talk of a territorial reorganization in BiH, we see that politicians on all sides and in both entities are far more focused on nationalist issues that divide people, rather than on delivering changes that are positive for the country, changes that would bring greater economic prosperity and closer integration with the European Union, changes that would encourage young people to stay. As you know, they are leaving in alarming numbers.

Most of my colleagues in the PIC share my concern over the current situation in the country. They notice positive developments, but also roll-backs in many areas. What is clear is that some politicians perpetuate divisions and undermine institutions by raising divisive issues.

The International Community firmly believes that this negative trend needs to be reversed as soon as possible. The time available until the elections should be used to address pending issues such as the implementation of the Ljubic case, Sejdic/Finci and other judgements of the ECHR, Mostar, the Excise Law and others. The political parties must refrain from entering the election campaign too early and they should see the rest of 2017 and first half of next year as a window of opportunity to push for positive reforms. According to law, the election campaign lasts 30 days, not 15 months.

Nezavisne novine: You have submitted a report to the UN. Would you say, in your opinion, that your report was met with wide approval in the UNSC?

Valentin Inzko: Yes. Apart from criticism that usually comes from the same source, my reports tend to be well received in the UN Security Council. I would also like to clarify another point when it comes to reports for the United Nations – the only official report to the UN Security Council on the status of peace implementation in Bosnia and Herzegovina is the one submitted by the High Representative as the final authority in the theatre to interpret the civilian aspects of the Dayton Peace Agreement. Any other “alternative” report, no matter how extravagant the title may be, has no official relevance.

Nezavisne novine: Apart from „standard“ criticism against Serb and Croat politicians, it seems to me that you also criticized a little Bosniak leaders, too, concerning the issue of the judgment revision?

Valentin Inzko: Thank you for reading the report. Sometimes I have the impression that reactions to the report are written before it even comes out. In fact, the purpose of my reports is not to criticize or to paint one side as right or wrong. Indeed, also in my presentation I mentioned that the agent knew for a year that his mandate had expired.

My aim is to present issues as they are on the ground and deliver an overview of the situation. My reports contain facts. How they are portrayed by those who are mentioned in the reports is an entirely different issue. It is not my fault if they do not like their own reflection in the mirror.

Nezavisne novine: What appears to me to have come forward in 2017 is the issue of the analysis of the work of the judiciary in the cases of the so-called political corruption. How seriously do you think they take this question and do you have a feeling that the international community does not wish to „fall out“ with the local elites?

Valentin Inzko: In the last six months, in addition to the local population I have also sensed an unprecedented level of frustration throughout the international community about this issue.

The IC is concerned over the deterioration of the rule of law, and in particular the fact that corruption and patronage are so blatantly visible in the political system, with very few consequences for those involved.

Clearly, there are issues with the functioning of the judicial system, but not in the way some politicians present them. My impression is that they are not trying to systemically fix the problems in judiciary, but rather to sometimes discredit it or even to call into question the existence of certain judicial institutions. Often they try to ensure that certain cases are transferred to a lower level of judicial authority, which is closer to their center of power.

This country and its people, regardless of their ethnicity, need something else. They need strong and efficient judicial institutions at all levels which they can trust, which work independently and professionally, so that all the citizens can be equal before the rule of law.

Nezavisne novine: Last time you told us in an interview that you are probably the last high representative. What can you tell us now - is the OHR going to be closed soon?

Valentin Inzko: I am the current High Representative. As you know, the process of closing down the OHR is not defined by a timeframe, but rather by a concrete agenda, better known as the 5+2 objectives and conditions. The agenda is clearly not implemented. At least two objectives on state and defense property, are clearly not fulfilled, while at the same time there has been backsliding on other objectives once believed completed. Also, the second condition – in simple terms a “positive assessment of the political situation” – is not even close to be fulfilled. The conclusion is therefore that the OHR remains open as a tool of the International Community to deal with challenges in BiH.

Nezavisne novine: Is there much work for a high representative in BiH today?

Valentin Inzko: The OHR’s role today is different than in the past, although the mandate and authorities remain the same. We are no longer in the lead on many issues. We have focused on a more limited set of issues, which is also reflected in a significantly smaller number of employees. But the core mandate – to uphold the Dayton Peace Agreement and the reforms undertaken to implement it – very much remains a central part of our work. Many of these reforms go against the financial or narrow party interests of those in authority, which is probably why some politicians so adamantly call for the closure of the OHR.

Nezavisne novine: Is there unity of the international community in BiH and around BiH? Are there differences, and if yes, how serious are they?

Valentin Inzko: Naturally, there are differences in opinions and approaches, but the goal remains the same, a stable and prosperous BiH, irreversibly on its way to the EU. And rest assured, if that goal is threatened, the International Community will easily find sufficient consensus to adequately respond. One intensified concern of recent is the rapid departure of thousands of young talented people. Once they start to return, this will be the benchmark for success, as one ambassador of the PIC Steering Board defined so precisely.