

Article by the High Representative, Wolfgang Petritsch: "Jelavic and HDZ play on the card of fear and work against Croats"

HDZ consistently refuses to cooperate and fulfil its constitutional obligation to which it was elected: to govern. Their reasons for trying to bring BiH to its knees are spurious and damaging. It can be illustrated by the fact that the overall votes for the HDZ have more than halved since 1996.

To describe what the situation in BiH, you must imagine an ordinary western European country where a major political party which has won a significant number of votes refuses to show up and govern. It would provoke an outcry. The HDZ BiH has done exactly that. International funds for Bosnia and Herzegovina are running out. This is not a scare story – it is the truth. More importantly for Bosnian and Herzegovinian Croats: the Republic of Croatia has drastically reduced the money to Croats in BiH.

Extremist wing of the HDZ

Instead, it has told BiH Croats to look to their government in Sarajevo to defend their interests. While still concerned about Croats living next door, Croatia has enough economic difficulties of its own without trying to take on those of another country.

But there are still some political leaders who claim to represent the interests of peoples of Bosnia and Herzegovina

and who would rather sacrifice the future for their selfish, short term gains. In the BiH House of Representatives on Wednesday, Presidency member and HDZ leader Ante Jelavic had the arrogance to state: "I think it's unbelievable that three months after the elections we haven't formed a government. What is the problem?" The problem is Mr. Jelavic and the extremist wing of the HDZ.

Three months after the elections, we are without a government at State and Federation levels. The business of constituting assemblies in Cantons 8 and 10, where the HDZ has a absolute majority and could have easily done it within the Constitutional time frame, is only now beginning. Why? Because the HDZ consistently refuses to cooperate and fulfil its constitutional obligation to which it was elected: to govern. Their reasons for trying to bring the country to its knees are as spurious as they are damaging.

The HDZ claims it cannot accept the changed Provisional Electoral Commission (PEC) Rules and Regulations governing the formation of the Federation House of Peoples. This argument does not hold water. Firstly, the HDZ – like any other party competing in the elections – signed a declaration respecting the PEC Rules and Regulations and the Dayton Peace Accords. Secondly, regardless of the new PEC rules and regulations, the HDZ would most likely have a majority among the 30 Croats in the Federation House of Peoples, enabling it to block any legislation it deemed damaging to their voters' interests. And thirdly, the November elections were the last ones governed by PEC Rules. The next will be held under the long overdue Election Law of Bosnia and Herzegovina. If the representatives from the HDZ took up their seats and engaged in the process of passing the law, it could make sure that this law is to its taste. The HDZ leadership poured scorn on the country's Constitutional Court. The HDZ promised to respect the Court's ruling on the PEC's rules and regulations as well as the post-election decisions of the Election Appeals Sub-Commission, and

to then start implementing the election results. On February 2, the Court decided that it has no competence in the matter, the HDZ did not observe that decision. This is a gross violation of the law by hardline HDZ members. In any state, the Constitutional Court is the highest court and its decisions are final and legally binding. The trashing of the Court's decision came only days after I met Mr Jelavic and his advisors for over two and half hours. At that meeting, Mr Jelavic promised to respect the Court and start cooperating with the formation of governments and elected assemblies. He immediately broke his promise. The HDZ were also repeatedly called on by my office to propose delegates to the new multi-ethnic Constitutional Commissions.

How people see the HDZ

These parliamentary Commissions will examine every piece of legislation before it goes to the parliaments for adoption, and thereby ensure that it does not discriminate against any of BiH's constituent peoples or the group of Others. After we had not received proposals from the HDZ leadership as to whom they would suggest to represent them in the Commissions, my staff and I put in several telephone calls to senior HDZ officials and extended the deadline. The HDZ then notified us they would not propose anybody. It threw away an opportunity to have a say in the Constitutional Commission in RS.

The voters who cast their ballots for the HDZ in November have been effectively disenfranchised by their own party. We must get on with the business of government, which must be the business of creating secure, prosperous and better lives for all citizens in Bosnia and Herzegovina. The Main Board of the HDZ should think very carefully about their image in front of their voters, whom they should be representing. Filling them with groundless fears about their rights and livelihoods will only damage the party in the long run. Unfortunately fear remains a factor here and is easily played on. But the overall votes for the HDZ have more than halved since 1996.

There will be no third Entity

It is also clear there will be no third entity. The cap badges are nothing more than a blue print for a territory doomed to poverty and isolation. Any self-proclaimed third entity would be sealed and sanctioned by the international community. A third entity would leave out Croats living in central Bosnian towns like Jajce, Vitez and Kiseljak along with Croats in the RS and Sarajevo. Croats need leaders who see this too, not the current HDZ's hardline leadership.

Croats have a secure future in BiH

Croats have a secure future in BiH, there is no BiH without the Croats. Alternative BiH Croat leaders and the International Community are working hard to ensure this with rule of law, investment and aid. This is evidenced by the Zepce process, which met Croat concerns, or the help we provided to secure school buildings for 200 Croat teachers and pupils at the primary school in Vares and 450 pupils in Bugojno. We also made sure that the "Hrvatski Dom" building in Bugojno was returned to Napredak. The IC has poured several hundreds of millions of dollars worth of aid to rebuild Croat homes and lives.

Wolfgang Petritsch is the High Representative for Bosnia and Herzegovina, in charge of the civilian implementation of the Dayton Peace Accords.