Interview: Raffi Gregorian, Principal Deputy High Representative: “Silajdzic and Ivanic Have Blocked Police Negotiations”

Another round of negotiations of police reform ended unsuccessfully

Deputy High Representative, Raffi Gregorian, says that Bosnia and Herzegovina is missing a great opportunity to make a step forward and move much closer to the EU due to the collapse of police reform negotiations last week. The US diplomat, who has been the chief international mediator during the last two months of negotiations on police reform, believes that the Report by the Police Reform Directorate, envisaging the concept of local and state police, represents a good basis for final agreement and successful reform. Ambassador Gregorian speaks to our journalist about those solutions, outstanding issues, as well as those responsible for the failed negotiations.

Last week, police reform negotiations ended in another collapse and failure

VL: In addition to the Police Directorate’s Report, which other issues were opened during the last round of party

leaders' negotiations on the police reform?

Gregorian: There were eight issues on the table. The first was an effort to create some mechanisms to include the Entity Governments and the Brcko District Government in the process of drafting annual plans for police operations and their financial plans. If police forces operate at the local level, we must ensure mechanisms for some kind of participation of the local level bodies in the decision-making process.

VL: What about other issues?

Gregorian: The second issue was the manner of appointing police officials. Bearing in mind that the majority of activities would again be taking place at the local level, the issue was related to finding ways of taking the opinion of local level authorities into account.

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The original idea remained, i.e. the existence of a single board composed of six members appointed by the BiH Parliament, two members appointed by each of the Entities and a member appointed by the Brcko District. The third disputed issue was whether or not a position of Chief Inspector should be envisaged at the state level.

Another issue that was open was the issue of Assistant Director of Police. There was a proposal to have an Assistant Director responsible for local police in the Federation of BiH and an Assistant Director responsible for local police in the RS. There was an issue of the number and title of local police bodies. The proposal was to have more than one police body in each of the Entities and that the BiH Presidency should

determine their names at a later stage. It was also proposed that one of the police bodies should have its seat in Srebrenica, and to have a police area of Sarajevo and establish whether or not this area should cross the inter-Entity boundary. Finally, the funding of local police bodies was also discussed.

It was important to us to transfer all legislative and budgetary powers to the State

The Name of the RS Police Was Disputable

VL: Do you believe agreement is possible, provided that the name for the RS Police is resolved?

Gregorian: If they could agree on that issue, I believe they could reach agreement on all other issues too. Generally, as far as police reform is concerned, it would be enough to get the Stabilisation and Association Agreement initialled. It would provide instruction for legislation drafting process and the acceptance and transfer of powers to the State level would enable the European Commission to finally sign the Stabilisation and Association Agreement. However, my impression is that, in essence, it all comes down to the issue of name.

VL: However, the agreement was not reached during the negotiations?

Gregorian: Everybody was clear about the fact that some agreement had to be reached on all issues in order to initial the Stabilisation and Association Agreement. Unfortunately, agreement was not reached. However, the two HDZs were very cooperative. We also held very serious discussions with the Bosniak and the Serb party that have the greatest number of representatives in the House of Representatives of the BiH Parliament. On the other hand, the two smaller Bosniak and Serb parties, respectively, represented in the negotiations

did not act in that way.

VL: Those two smaller parties are the Party for BiH and PDP. So, Ivanic and Silajdzic are guilty for the failure of negotiations?

Gregorian: I will refrain from using harsh expressions that you have just used, but I can say that agreement was not reached. Both had their reasons and I believe that in both cases the reasons had something to do with the name Republika Srpska. We are aware that these names have important symbolic role for many people in political circles.

However, legally speaking it is not important at all. Legally speaking, the names of the Entities and Brcko District are only facts established by the Dayton Agreement and are not an issue. It was important to us to transfer all legislative and budgetary powers to the State level and as a consequence, in legal terms, there cannot be cantonal and Entity institutions as such. If there is something that is called the RS Police but it operates as an administrative unit within the Ministry of Security of Bosnia and Herzegovina and not as an Entity body, it is acceptable and in compliance with the European principles. As long as they are trained and equipped by the State, as long as they are under the command of the State and paid by the State, they are police forces at the State level. The issue of their name is a political issue, not a legal issue. However, it was the reason why the Stabilisation and Association Agreement was not initialled and that we ended up without the police reform.

A Continuation of Negotiations to Keep the Process Alive

VL: Are the negotiations going to continue?

Gregorian: All these parties form the governing coalition at the State level. They must therefore reach agreement on this. I am ready to talk with all political parties, but they must discuss the issues with each other, as the members of the ruling coalition. If they want, I will continue discussions with them to keep the process alive. I am tired of banging my head against the wall without a specific reason. I hope we will not start from scratch. This process has been going on for three years. Starting from scratch will mean another three years. Bosnia and Herzegovina is already lagging behind its neighbours. The Directorate's Report is a good concept for police reform.