

Interview: Valentin Inzko, EU Special Representative and High Representative in BiH: “If the EU monitoring team gives negative assessment everyone should consider tendering their resignations en-masse”



Start: Could you clarify your statement about Radovan Karadžić, Islam and friendship and do you think you need to apologize to anyone?

Valentin Inzko: There is no need to apologise to anyone; because what I said in the interview I gave two months ago was not meant to offend anyone. What I obviously said in that interview was that war and the horrors it brought woke up religious feelings of members of all religious communities in BiH, including Muslims. I heard a similar statement of religious officials, i.e. that genocidal policy awoke interest in religion. Let us be clear, I condemn war crimes that were committed in BiH. Whoever got their hands dirty should be brought to justice.

Start: Has the state property inventory team begun working and is the

plan of their work defined and was it necessary to form this team and when do you expect the inventory to be finished?

Valentin Inzko: The team will be on the ground in September, and its plan of work is clear. Besides, I wish to say that there still exists a working group which still has an opportunity to make the state property inventory. I have been waiting long for progress in the work of the state property inventory group, but simply, there were no progress or results at all. It was only then that I decided to establish our team to make the state property inventory. When the inventory is made, the ball will again be in the court of BiH politicians, who will need to agree on the apportionment of this property.

If the institutions react positively, there is no reason why they should not be able to report progress on this issue at the November meeting of the PIC; the State property issue must be resolved.

In February 2008, the PIC Steering Board defined a resolution to the State Property issue as a priority objective and ever since has been calling for an inventory, a law, and an agreement between the state and the entities that would finally apportion this property in a manner that ensures that each level of government in BiH owns the property needed to carry out its public functions.

An accurate and complete inventory of state property is obviously fundamental to doing this. Still, it took more than a year of urging by the PIC and the OHR to get the BiH Council of Ministers even to establish an Inventory Working Group, which was given a six-month mandate by BiH politicians. With only a month left to complete its task, the Working Group has so far failed even to agree on a methodology.

Start: Considering how the property inventory began, are you an optimist with regard to adopting a state property law which should define the principles of apportionment of this property, including apportionment of non-perspective military property?

Valentin Inzko: I have to say that I'm not. I bypassed the political blockage of

the Council of Minister's Property Inventory Working Group. Still, the opposition that we're seeing to actually getting on with the task of simply collecting title documents indicates that some politicians simply didn't want this issue to be resolved. I hope I am proved wrong when the time comes and the politicians realise that clarity of title is good for government, good for business and good for the people of this country.

Start: Your decision to rehabilitate Kalinić and a couple of war-time SDS officials has made much noise. Why did you rehabilitate him? Is it really an attempt to bring down Milorad Dodik or the information that the rehabilitated persons submitted such applications is true?

Valentin Inzko: Milorad Dodik has himself called for bans on these and other officials to be lifted. I don't see why, after a review I determine that the reasons for removal no longer stand, would anyone claim this was meddling in the internal politics of the RS. I intend to review all bans in place currently before the OHR closes its doors.

Start: Can we in BiH expect OHR's decisions on removals of politicians or impositions of laws and decisions if we are talking about closing the OHR in October or before the end of this year, and is it possible that this office might be closed down at these times?

Valentin Inzko: If there is a need to act – I will act no matter when the OHR will close down. The situation with the closure of the OHR is very clear – we have 5 goals and 2 conditions. When these goals and conditions are met the OHR will close down.

Start: Are you going to put out of force the laws under which engagement of international judges and prosecutors in the Court of BiH ends with this year and if you will - when might this be because the Court of BiH in this situation cannot assign cases to these individuals to work on?

Valentin Inzko: The International Community wants to see tangible evidence of a respect for the rule of law and the State level judicial institutions. That is why the opposition to extending the mandates of the international judges and prosecutors working on corruption, organised crime, economic crime and

terrorism cases in the BiH Court and the BiH Prosecutors office is concerning. This request doesn't come from the international community but originates from BiH Court President Meddzida Kreso and BiH Chief Prosecutor Milorad Barasin. Together with the HJPC they launched a joint appeal in 2007 calling for the mandates of international officials in the BiH Court and Prosecutors Office to be extended beyond the end of 2009.

The Council of Ministers' proposal is to end the role of international officials who help investigate, prosecute, and judge organised crime, economic crime, corruption and terrorism cases by the end of this year. The consequences of this decision will seriously degrade efforts to build the rule of law in BiH. There will be an inevitable backlog of pending cases, as the Council of Ministers and the Parliament failed last year to provide the necessary resources to train, screen, and hire national staff to replace departing international officials, who are financially entirely supported by international donors.

BiH Parliamentarians have a responsibility to support the BiH judicial system and protect it from political influence. The departure of international judges and prosecutors will weaken BiH's ability to respond to organised crime, economic crime, corruption and terrorism at exactly the wrong time, when Bosnia and Herzegovina is looking at a visa liberalization regime with the European Union. Members of parliament must extend the mandates of international judges and prosecutors and thereby show their commitment to the BiH judicial institutions and the rule of law.

Start: How do you comment announcements by Milorad Dodik that he will accept talks about changes to the BiH Constitution only if the BiH Court and BiH Prosecutors Office are deleted from the new Constitution?

Valentin Inzko: I do not wish to comment on that statement. As far as I am concerned, it is important that the constitutional change process begins. In this process, every BiH politician will have an opportunity to present their positions. I

think we need to use the readiness of the USA and European Union to help BiH politicians achieve a compromise. The responsibility, however, is on local political forces because this is a domestic process which will result in a more functional and less expensive BiH. And, importantly, BiH must change its constitution because of human rights.

Start: Are you monitoring activities in investigations into alleged crime committed by Milorad Dodik, and do you have an opinion about behaviour of the BiH Prosecutor's Office in this case, as well as in other investigations involving prominent political officials?

Valentin Inzko: No. This is a matter for judicial institutions.

Start: How do you comment the overall political situation in BiH: problems in the BiH Council of Ministers, FBiH Government, there is no specific agreement on changes to the BiH Constitution in sight, the "Prud troika" has disintegrated, fulfilment of requirements for obtaining a visa-free regime with the EU is also uncertain...

Valentin Inzko: The problems you are talking about, of course, are not a good thing. State institutions at all levels must function. Political dialogue must continue. Why? Because it is only through dialogue and good work of the institutions that problems can be resolved. Blockages and boycotts will not bring BiH closer to the EU or NATO. Nobody wants that. EU in the least. But, if BiH does not make progress in the Euro-Atlantic integration process, politicians will not be able to blame anyone else but themselves. The PIC will want to see evidence of a sustainable political dialogue amongst leaders in BiH before it considers OHR's transition.

Start: Do you believe politicians in BiH when they talk to you and make promises to you?

Valentin Inzko: I believe in actions, less in words.

Start: What could be the conclusions of the EU monitoring team at the start of October? Does BiH have objective chances of obtaining visa-free regime with the EU starting with 1 January next year?

Valentin Inzko: I think it is possible. It depends primarily on meeting the criteria set by the European Commission. Meeting these criteria is the responsibility of local politicians. I think that the authorities will not dare risk another setback like last time. If they fail to get approval this time round I think that they should consider tendering their resignations en-masse.

Start: Did you engage in analyses about what will happen if BiH citizens, in case the visa regime remains in force, reach for passports from Serbia or Croatia?

Valentin Inzko: No. My efforts are focussed on getting BiH on track to visa liberalisation as soon as possible. There will be no Serbian passports because of legal regulations and costs.

Start: What is the current role of OHR in BiH, because there is an impression that you are only monitoring the situation, without taking any important steps?

Valentin Inzko: We need to be realistic; OHR is moving to transition from the OHR to the EUSR. To end my job is one of the priorities of my job. That means that room needs to be found for agreement between your leaders and between your communities. This is the only way forward. OHR is not the deadlock breaking mechanism it used to be, nor can it be. OHR is there as a last, and very firm option to stop the country from coming apart, but how far you are willing to go backward, waste time, politicise and procrastinate is a question that you must ask of the political leadership that this country elected.

Start: Your predecessor Miroslav Lajčák stated that the international community has no vision of BiH future, and that the said absence of vision represents a problem for the High Representative, whoever he is. Do you agree with this estimate?

Valentin Inzko: It is true that there are sometimes differing opinions about some issues in BiH. But, what is really important is that the international community always finds common ground in the end. It is of key importance for me that political actors in BiH find a common vision for the future of this country. BiH

belongs to Bosnians and Herzegovinians, but at the same time, the international community has invested too much political capital and funds to give up having any stake in this country.

Start: Is the international community unanimous with regard to decisions concerning BiH, and if not - in what areas do the differences emerge?

Valentin Inzko: Despite everything, the international community is completely unified with regard to the future of this country within