

Oslobođenje: Interview with High Representative Christian Schmidt



By: Vildana Selimbegović

Oslobođenje: After the closing of the polls, you imposed amendments to the Constitution of the Federation, partial amendments to the Election Law, with deadlines for the formation of the government and sanctions, but the most interesting changes concern the House of Peoples of FBiH?

Christian Schmidt: It is about overcoming the blockades in the Federation. It is inexplicable that for four years the Federation did not form an elected government and the federal leadership. Or that no judges have been appointed. The reasons are obvious, they are trying to use it as a negotiation instrument for some other things. Unfortunately, even the Parliament, that is, those who talked about reforming the Electoral Law, did nothing. There was a lot of talk, but no decisions. I did what I considered the most necessary, because there is certainly still a lot of room for reforms. The Sejdić-Finci verdict, discrimination and how it should be prevented – those are issues that must be resolved by others.

Oslobođenje: Why did you react now?

Christian Schmidt: You know there was a very lively discussion in July about the proposals from my office, the OHR. That is when I intentionally chose to talk to people, and to those who

were critical, but not to make any decision that some could use as an instrument to win the election. On election day, I told some people here that it was a sign of weakness if you only talk and make no decisions. And it is a sign of strength and respect for democracy when these issues are discussed. Therefore, I did not want to influence the elections themselves, and on the other hand, those decisions had to be made before the election results were known, because it would give the impression that someone might want to channel the election results in one way or another with certain decisions. I also have to apologize that, despite the great interest in the election results, I may have taken a bit of attention, but I got the impression that many understood my move and where it was leading. I expect that now in the Federation we get a government, we get the Court, and some more transparency in the House of Peoples with a slightly larger number, 23, and especially a larger presence of Others. We will facilitate a more democratic debate. There is another problem that I would have liked to address, but I have not been able to resolve it, because it has to be done by others. It is a question of how the regions and cantons are represented, because they have not been sufficiently represented in the legislative power and procedures. It is a homework to be done in the future. I think we have taken one step for Bosnia and Herzegovina towards Europe and towards its ability to be a member of the EU.

Oslobođenje: In the first reactions, the parties that organized the protests in front of the OHR did not object. Not even the SDA. However, in the address of Mr. Izetbegovic, the amendments were characterized as useful for HDZ of BiH. In the SNSD they once again said that it was none of their business. Do you think that that debate is over, at least in Sarajevo?

Christian Schmidt: We can discuss, exchange opinions, but I believe that the parties currently have other concerns and I suggest that we be constructive. The only thing I want to say is – this is not only meant for the parties but also for the

young people, because we have to give young people in BiH the opportunity to participate, and I will be very active in this in the coming period, to see what we can do to keep young people in this the country, instead of leaving it.

Oslobođenje: Your decision was welcomed by the American embassy, □□but the EU mission said that it was exclusively your move, adding that the Bonn powers should be used as a last resort. How did you understand this position?

Christian Schmidt: In German I would say – I understand it with a wink. What does that mean? I am really a European through and through. For years I was in the European Council, I was a member of the European Parliament, an assistant in the EP and I know how it works. The hope that Bosnia and Herzegovina can soon become a member or at least take a big step forward is present for a reason, and that is why the position is that BiH will make its own decision. In 2015 I was sent by Chancellor Merkel to Sarajevo to try to discuss the implementation of the Stabilization and Association Agreement in the then state Presidency, and after two or three days I was able to inform her that that had been achieved. But the Europeans, I mean the EU institutions, underestimated that things in Bosnia and Herzegovina would not happen by themselves and that sometimes they need to be pushed and supported.

I don't think the EU statement is criticism directed at me, I think it's directed more at the expectations of the political community here in BiH. And this is particularly important after the election, because the newly elected officials must understand that there is a homework that must be done and, it can be done by the High Representative in the extreme case only, but it's much better that it's done locally.

This is how I understand the EU and I can say that I've had a very close cooperation and talks lately with the EU Delegation here in Sarajevo and that I've taken some steps with them and

discussed them with them. Of course, the decision is mine, but it's important for me that there is cooperation with important countries within the EU.

People here in BiH, after what they've been through, sometimes make statements that are not really politically correct. And one should accept this. Of course, I could take offence at the way in which the Director in Srebrenica commented on my decision because it was not nice, and I am really the last person who would jeopardize in any way the existence of the state of BiH or who would do something against that. I have visited Srebrenica and I know how much people suffered. But, I think what matters now is the future. Americans seem to be playing an important role.

People want security and stability and American presence in itself brings peace. There's the German presence, too, not in my person, but in the form of the EUFOR Althea Mission, which is also important for security. But, this all is not compensation for the work and action of the local authorities.

Oslobodjenje: Do you expect the politicians to make an agreement and engage earnestly in the implementation of the decisions, not only the ones from Strasbourg but also those of the Constitutional court, considering that you helped this federation constitutional court to finally get its form.

Christian Schmidt: There were discussions why the High Representative only considered the judgement in the Ljubic case. With my last decision, the Ljubic topic is now over for the Federation, it has been politically applied, and Ljubic has no arguments at the State level. Therefore, one must distinguish between the two. For that reason, I recommend that those who discuss it in great detail should think very carefully about where this discussion is taking them, depending on a path they decide to choose, that is, where their path leads them. I also want to elaborate on the issue of proportional representation. Now, in Gorazde, however, we

have a situation where this Canton that almost has no Croat citizens, and before the war there were not many more Croats than there are living there today, has the representation of 1 + 1 + 1. This is tolerable and can be tolerated, if it is expanded a little. So, I did that too, from 17 to 23 seats, this has been compensated in a way. And what is not the topic here is the question that some will comment on now, well, Zeljko Komsic has been elected, but it is a surprise that Ms. Borjana Kristo has also got quite a number of votes.

Oslobođenje: Some claim that Komsic has won in Livno.

Christian Schmidt: I do not know that, there are different versions, but I want to remain neutral. I would like to say, therefore, that this shows that a Croat candidate has a chance when it comes to disparities in the numbers in terms of ethnic representation, ethnic groups, so I think that this is a sign that we can continue to work on it, expand it. You know, I get the impression that some people think that regulations could be made to ensure that someone wins – one candidate or the other. No, that is a voter thing. Voters are the ones who decide independently and should act wisely, but it is a completely different point if you act wisely so that everyone feels that someone represents them.

So, things that are sometimes misinterpreted in the Dayton Constitution. We are still waiting for the Croat side, I congratulate Mr. Becirovic and I also congratulate the RS, but here are not representatives of Serbs, representatives of Bosniaks and representatives of Croats, they are representatives of the whole nation and that is the difference. That is why everyone should say when they get up in the morning – I am obliged to do something for the sake of everyone. And that is why I said, in the Federation Constitution, that everyone must cooperate, and not that everyone does things just for himself. I see it as a deficit in the BiH politics.

Oslobodjenje: That seems like an important decision. However, I would like to ask how much the Russian influence complicates the situation in BiH and your situation here, and how can that cooperation be improved within BiH, considering Russia's engagement in this area?

Christian Schmidt: We have to follow the developments in the RS. I see that the opposition candidate, who is very engaged, is very close, but it still seems that the outgoing member of the State Presidency will be the Entity President. I want to say clearly – this region and BiH, as a country, not only have their territorial integrity, but they also have the right to free choice. Based on the polls that were conducted previously, one has the impression that the election result should not be misinterpreted as pro-Western or pro-Russian. All our findings so far say that people, regardless of where they live in Bosnia and Herzegovina, in some way opt for a Western or more Western way of life. And they are not very sympathetic to Russia's aggression against Ukraine. I will remind you that it was interesting to hear how even Dodik was in favor of extending the mandate of EUFOR and the Althea Mission, and I think that is fine.

The American ambassador to NATO and the German ambassador were here recently, so it is clear that the international community has pledged to protect Bosnia and Herzegovina. It is not a member of NATO, like Montenegro, North Macedonia, Croatia, Slovenia, but there is an obligation to prevent Bosnia and Herzegovina from becoming a crisis point that some might want to set on fire. And so far, I must say this very carefully, there is no development from the Russian side that seems to support such a thing, at least for now. What I mean to say is that there is stability. Russia is holding back.

Oslobodjenje: Are you prepared to reach for the Bonn powers again?

Christian Schmidt: It's not that I'm particularly looking

forward to it, but when I look at my terms of reference, they read that I have to take care of certain things. My predecessor practically did not use the Bonn powers for ten years. Maybe we were asleep for too long and in that sleepiness we failed to see that some things in BiH were not going in the right direction. And I'm ready to make some corrections there. I'm not really ready to do that on a daily basis, but it has a certain spectrum, and everyone should know, everyone who thinks they can ignore the Dayton Agreement, that it is my duty and my task to use them. This is not a threat, this is a constructive remark that I can and will use them if necessary.