

Oslobođenje: Interview with HR Christian Schmidt

By Vildana Selimbegović

Oslobođenje: Bosnia and Herzegovina is blocked: how can we speak about the Open Balkans and economic development with the threat of war that is hanging over us? What will the OHR do?

Christian Schmidt: My task is to prevent the crisis to develop even further. That is why I need the support of the international community. I think I have it, minus one.

Oslobođenje: We are talking about Russia, and China, the Visegrad Group?

Christian Schmidt: China is not a signatory to the Dayton. When it comes to the Visegrad Group, I had good consultations with the Czech side. I think that the European Union also has the responsibility, and that it is going to have much more responsibility.

Oslobođenje: Is it going to take that responsibility?

Christian Schmidt: It will. I think we just need to talk about the strategic implications of the policy. There is also an idea within the PIC (Peace Implementation Council in BiH) that one can simply move from the Dayton to Brussels, but I think that this transition must be considered to know exactly what it should look like. I am thinking about those intermediate steps that need to be taken. About the tiny steps. You see, if a person is 25, he or she gets married and thinks about a place where he will organize his life, the mere information that something is being worked on will not be an argument that is strong enough to keep him in the country. And I would prefer to see a more visible effects of the EU. And not only because of economic issues, but also because of the rule of

law, because the rule of law is a very important thing. For example, Priebe's Report, submitted to the European Commission three years ago, is excellent, but, unfortunately, it is now just a dead letter. That is why I call upon everyone to start working very concretely on the independent judiciary, fight against corruption, legal security. We need a clearer picture of land registers; each individual should feel that he is being treated in a fair manner and that there are institutions that will ensure the rule of law. That is why I say that I cannot consider Mr. Dodik's statements about the High Representative personal at all, but, for example, if the attacks are directed at the Constitutional Court, I think it is something that is difficult to tolerate. The basis of coexistence is the law that is common for all, and since we abolished absolutism, I do not know of any leader that is above the law.

Oslobođenje: How do you see the neighbors' attitude towards BiH?

Christian Schmidt: President Vucic received me with very great honors in Belgrade, when I was there. And I really have a feeling, in all neighboring countries, that no one wants to question the territorial integrity of BiH. I noticed that Mr. Vucic supports me, in terms of the topics we discussed, and I have the support of Mr. Plenkovic.

Oslobođenje: In the eve of his departure for Russia, Milorad Dodik spoke again about you: he says that neither you, nor the OHR, nor the staff in the Office of the High Representative, exist. Are you in existence, Mr. Schmidt?

Christian Schmidt: Considering that I was brought up in a European way, to be polite, I am not used to hearing so many insults and I do not want to explain anything to Mr. Dodik at all. What does he want to achieve with that? Well, I am here, to talk about improvements. Did he ever hear me say something against the Republika Srpska? Has he ever tried to talk to me

about whether and how something in the Constitution could be changed? And what kind of strategy is that? Blockade and insults are signs of weakness.

Oslobođenje: It sounds good, but he has announced that he will inform Russian President Vladimir Putin about all the problems, and Putin, as Dodik claims, has understanding; Dodik also presented you with an ultimatum: in order to unblock the institutions of Bosnia and Herzegovina, he demands that you withdraw "Inzko's law", actually amendments to the Criminal Code of BiH, which prohibit the denial of genocide and crimes from the period of World War II onwards. Are you thinking about doing that?

Christian Schmidt: I have already announced that I think it would be right for the Parliament to deal with this issue. I am used to calm, sober and structured discussions about issues. Not to countless attacks directed at everyone. These issues also include the treatment of Serb victims in Jasenovac. For me, the focus is on protecting the memory of the victims, all the victims, and protecting their dignity. That is the European standard. And one can and must talk on this basis. There are no differences among the victims. What worries me more is that we did not succeed in giving the young generation an opportunity to reconcile over the graves – of reconciliation in spite of the graves. When Dodik talks to Mr. Putin about this topic, he will surely hear from Putin about intensive cooperation between the Russian Federation and Germany, in spite of the graves of the fallen victims. And due to some inappropriate and unkind statements, I do not want to address this to Dodik, but I want to tell all other citizens of BiH that it is clear to me, as a German national, which kind of responsibility the Germans have in regard to this issue. That is why I am ready to talk reasonably about many things. I had a very long and intensive discussion with Aleksandar Vucic about Jasenovac and Kragujevac. I talk to Aleksandar Vucic as the person who had ugly experiences within

his own family. Respect for the dead should mean that the dead are not the subject that is discussed within political debate. Maybe it is a level that Mr. Dodik is not familiar with. But I can tell him that all politicians have a personal responsibility to ensure that results achieved do not deny that the past events had happened. It is our responsibility to prevent the young generation from ending up in some similar disaster. And if you talk about this topic in that way, then you will understand that the code titled "Inzko's law" is far from enough. Here, I call for dialog.

Oslobođenje: You call for dialog about the verdict of the Hague Tribunal or...

Christian Schmidt: No. I will give my proposals in a letter to the Parliament because the Parliament is the institution I would like to address. I also believe the engagement of civil society in this topic would be correct. The OSCE can also be helpful, but to be honest, this is the topic that BiH needs to clarify with itself and within itself. You may therefore conclude that I have some reservations about making changes or adjustments to the Law myself. No. That is something that must come from within BiH.

Oslobođenje: I think the problem is that verdicts are being discussed in BiH. If we had implemented them, I am now talking about the judgments of the European Court of Human Rights, we would have had the Election Law amended by now.

Christian Schmidt: So, the Sejdić-Finci verdict must become part of the Election Law. The same applies to the proposals of the Venice Commission; I mean, the Venice Commission made proposals for my country too. And I think Ms. Eichhorst and Mr. Palmer think that they are the ones who need to help make things happen, so I can only wish them success in their work. However, I think that there are no long-term solutions without the so-called technical corrections of those proposals of the Venice Commission, as well as the judgments of the European

Court of Human Rights. And BiH is running the risk of having this issue put on the agenda of the Council of Europe.

Oslobođenje: Mr. Schmidt, it is clear to you as is clear to me that Mr Čović, leader of the HDZ BiH, does not accept the implementation of European court decisions, as is clear to you that Mr. Dodik is not boasting by accident that he's been working on this project since 2010: or do you think Mr. Dodik is lying when he says he has allies in the European administration in Brussels?

Christian Schmidt: Well, you see, I have been told in the same way that Moscow supports me. But still, one should not mix this with political positions. As someone who's known Dodik for years, here is a mild reminder for the international community: even if we allow ourselves that there are somewhat stronger ups and downs in the rhetoric in the Balkans than elsewhere, we still must have enough sensibility to understand that rhetoric creates politics. I don't know if we've had this sensibility in the past ten years. The international community is reactive and if there are no reports that there is not only smoke but fire somewhere, it simply moves it from the map of crisis spots. And this is superficial. This is the reason I wrote such a drastic report for the UN. Political blockage simply leads the country into a deep crisis and we can't pretend that we should only be kind to Dodik and ask him what he would like next. This will not resolve anything and it can only open his appetite to ask for more. Conversely, there is a need for Dodik to scratch his head and say – what are the problems? Where is it that the RS finds itself neglected in relation to the Federation, in relation to the State? I come from a country in which I had numerous discussions with our federal provinces, for instance on the Forest Law. However, I learned that I need to come with specific points, and then they can be discussed. Here, for instance, the dysfunctionality of the Federation.

Oslobođenje: The Federation is also in a blockage.

Christian Schmidt: Yes, but the blockage is not the way how to pursue politics. I understand my task in the way that we should not only resolve current blockages but prevent them in the future, too.

Oslobođenje: Are you going to slap Dodik on his wrists then, penalize him? Are the US, EU, GB going to do it or he will keep his promise about the blockage until this time next year?

Christian Schmidt: I think too much space is given Dodik and he is honored with being constantly the center of attention. I think we must discuss specific issues that are possible. Dodik is, for example, very eloquent when he speaks about economic development, business for young people in BiH so that they can stay in the country, as he was saying in his last interview. Here's my proposal for Dodik: less big words, more action.

Oslobođenje: Dodik doesn't speak about BiH as a state, but about the RS as a state.

Christian Schmidt: Well, young people in the RS are not better off either! What is the economic situation like outside Banja Luka? How many people are there outside Banja Luka? Where do they go? Who deals with these issues? And I'm sure political representatives in the RS have many possibilities for action and I thank those who take care of these things because I know there are such people. And those who deal with these issues are not entity opponents or enemies.

Oslobođenje: Of course not. But, you didn't tell me if Dodik is going to be penalized?

Christian Schmidt: If he continues with this kind of politics the economic situation in the RS will not improve. And I think it's important that it should improve. If we are in a situation that we need soup kitchens in this region, then all alarms should be ringing in the politicians' heads.

Oslobođenje: They are ringing, but to other kinds of alerts:

problems in Montenegro, in Serbia, too, BiH is in an extremely serious crisis and Vučić is a partner to your country, not Zaev. Perhaps that's where the problem is?

Christian Schmidt: I can't speak on behalf of the German Government, although I have met personally with Mr. Zaev. He received an important award in Germany recently. I must say openly that the EU approach is problematic. I am hopeful that Bulgarian blockage will be lifted so that the process of accession for North Macedonia and Albania can begin. I think the Berlin Process is very important and a Berlin Process followed by Berlin. For all six Western Balkans countries, including Priština and Belgrade. And I think one has to work on the Open Balkans. BiH has a very high structural and economic potential, good development conditions, educated people. Roads are a problem and this is a task for the EU. The country is beautiful, but it has many hills and mountains. Figuratively speaking, too. That's why we need to do more in terms of regional connectivity for the sake of joint development which mustn't stop at entity boundaries. Is it really so hard to say – ok, let's work together in the economy? Companies will cooperate. People from Germany, Austria, France say – we are ready to invest. They are not interested in the differences between Sarajevo, Banja Luka or Tuzla, or some other city. They are looking at BiH and are ready to give their contribution. And here politics interferes with people's health, just look at the example of the Pharmaceuticals Agency. That's not how it goes.