

# Oslobođenje: Interview with HR Valentin Inzko

By Vildana Selimbegović

**Oslobođenje:** Mr. Inzko, you discussed the current situation in BiH with Vice-presidents of the BiH Federation Svetozar Pudarić and Mirsad Kebo: what is the time sequence of the necessary moves in the Federation and are you going to get involved?

**Valentin Inzko:** My involvement was never a topic at the meeting on Tuesday because there is no role for the High Representative, or any politician for that matter, in the ongoing investigation.

As far as the broader political situation in the FBiH goes I said, as I have done earlier, that parties have a clear and legitimate right to pursue the reshuffling of the government, but in doing so they must respect the relevant constitutional and legal procedures. The Constitution is clear about in which circumstances the Vice Presidents can replace the President; either a decision of the Federation Constitutional Court following a vote by 2/3 of both houses of the FBiH Parliament; or a decision by the FBiH Government acting by consensus declaring the President permanently incapacitated to fulfill the duties of the office. There is also the option that the incumbent resigns.

I met with the Vice Presidents on Tuesday to hear their views about how to overcome difficulties in the functioning of FBiH Presidency during this period. It is obvious that the current situation is not making the overall political situation in FBiH any simpler, and that this is having a negative impact on the functioning of the Federation.

**Oslobođenje:** The special session of the FBiH Parliament was also dedicated to President Budimir. Can the Parliament intervene beyond the Constitution and transfer competences of the FBiH President to the Vice-presidents?

**Valentin Inzko:** No institution may go beyond the Constitution – of course the Parliament is free to change the constitution if the requisite majority is found. When I met the Vice Presidents on Tuesday I said that while parties have a clear and legitimate right to pursue the reshuffling of the government, in doing so they must respect the relevant constitutional and legal procedures.

**Oslobođenje:** SIPA and the BiH Prosecutor's Office called the arrest of the Federation President Živko Budimir as the biggest corruption crackdown in our country, however meanwhile there are started to appear pieces of evidence that give it a political tone: I am speaking about pardoning Mersed Hadžić, aka Mirso Švicarac, who was pardoned after the Commission had changed its Report at the request of Justice Minister Zoran Mikulić. How do you see the Budimir case?

**Valentin Inzko:** There is a lot of speculation at the moment and I would caution against this if for no other reason than the fact that the evidence in this case has yet to be made public. I have given my full support for the law enforcement agencies: police, prosecutors and the courts, and expect all others to do the same; there is an investigative process ongoing and the independence of this process, and of the law enforcement agencies conducting it, must be respected.

**Oslobođenje:** The Expert Team that worked under the auspices of the US Embassy in our country has prepared even 180 recommendations which would simplify, make more cost-effective and functional the setup in the Federation. These recommendations will soon be a subject also to some sort of a public debate and then be forwarded to the Constitutional and Legal Commission, which will then have a chance to translate

them partially into constitutional amendments that is to the extent it wants. Do you expect that the FBiH Parliament will find the maturity and audacity to, for example, limit salaries of the parliamentarians so that they would finally start to live like the most of Bosnians and Herzegovinians or, perhaps, act towards limiting and provisions which would actually stop them from having the benefits they have at present?

**Valentin Inzko:** Constitutional change can only come about through domestic dialogue and compromise, but it can be facilitated by the international community. For that I commend the efforts of the US Embassy, and Ambassador Moon in particular, for organizing this initiative. I hope that through the upcoming public debate we will see broad support and that ultimately the recommendations see the light of day in Parliament. No one disagrees that the FBiH is a cumbersome organism and that it would benefit from reform. Reducing costs, raising efficiency while still protecting the rights of all people and citizens is something that I have always supported and I see no reason why anyone would object to any proposal or reform based on these principles.

**Oslobođenje:** You will go to New York as early as next week: can you at least announce parts of your Report to the UN General Assembly?

**Valentin Inzko:** This will be the 43<sup>rd</sup> Report to the UN by a High Representative and the ninth Report that I submit since I took office in March 2009. I will outline the status of peace implementation and will describe how BiH has come a long way since the conflict of the 1990s, but that our ongoing efforts are still needed.

My report will of course cover the deepening political and constitutional crisis in the Federation, further complicated by the fact that the Constitutional Court's VNI Panel does not function due to the four-and-a-half year long failure to

appoint missing judges to this panel. I will also highlight an emerging and worrying pattern whereby political and institutional actors seem all too ready to sidestep, ignore or in some cases directly violate requirements set out in constitutions and laws for the sake of political expediency. One key area where this disregard for the rule of law is evident is the non-implementation of decisions of the BiH Constitutional Court, for instance in regard to the electoral system in Mostar.

I will also report my deep concern about the fundamental challenges to the sovereignty and territorial integrity of the state coming from the Republika Srpska, where the RS President and others continue to advocate for the dissolution of BiH. I will note that despite the economic crisis, some political parties and some leaders have given priority to unproductive, divisive and futile rhetoric.

In BiH progress towards the goals of Euro-Atlantic integration continues to depend on the willingness of its elected leaders to deliver concrete results; this will is evidently lacking, and the country has continued to fall behind the rest of the region. The fundamental reason for this is the fact that elected officials and political parties continue to put their own personal and narrow political interests before the interests of the citizens and the country.

Political leaders in this country have a stark choice – they can fail together, or far better they can succeed together and in so doing they can deliver progress towards Euro-Atlantic integration, create jobs and support the fight against organised crime and corruption. This is what both the citizens of this country and the wider international community want. So far they seem pretty determined to make the wrong choice. I use this opportunity to publicly challenge them to prove me wrong by delivering on the many outstanding issues that exist.