

Oslobođenje: Interview with PDHR Tamir Waser



Interviewer: Vildana Selimbegović

Oslobođenje: The Peace Implementation Council for BiH sent several important messages. To start with, I would like to know when the problem of the children from Konjević Polje will be resolved.

Tamir Waser: Last week, the PIC discussed the rule of law, next year's elections and education. In the past few days we saw some progress, i.e. the composition of the school board in the Konjević Polje school changed, the rules applicable to this school board were also changed so that Bosniak representatives could have more influence. Progress was also made with regard to the national group of subjects – some students have returned to school... But, we continue to work in order to achieve the ultimate goal, which is for all the children to return to school.

Oslobođenje: When will that be?

Tamir Waser: Hopefully, very soon.

Oslobođenje: Valentin Inzko said the OSCE was working on a solution, but the OSCE did not succeed in implementing the agreement it brokered. What can the OHR do so that we do not have some other Konjević Polje, Kamenica, Vrbanjci again?

Tamir Waser: This problem is much larger than just Konjević Polje. We have the parents from Vrbanjci and some other

places, both in the RS and in the Federation. We also have two schools under one roof and, of course, the question how to ensure appropriate education for all returnee children. Discussions in the PIC were held having in mind a broader perspective. Eleven years ago, Bosnia and Herzegovina made a commitment to the Council of Europe against segregation in schools, but this has not happened yet. And while these discussions were held about what and where things from history or geography should be studied, the quality of the education system fell and became worse and worse, which means that the students are not preparing for the challenges of the 21st century. Education does not prepare them for what they need. Once this area here was quite well-known for its extremely good students, for the quality of knowledge, and now some universities print off diplomas which are not even worth the paper they are printed on.

I think it is a true tragedy and I think this is the reason that the PIC said it was necessary to work in a coordinated manner in the resolution of these issues and the ministerial conference must get involved more actively: they should not wait for ideal conditions but should undertake something now. This is not just the position of the PIC countries but also of the organizations comprising the PIC.

Oslobođenje: The ambassadors touched upon the interference of politics in the judiciary: was this admonition aimed only at Milorad Dodik?

Tamir Waser: The warning against placing political interest above the law and the rule of law actually referred to all leaders and all political parties and all institutions behaving that way. Of course, the comments referred to the attacks of Mr Dodik on the Court of BiH and the Court in Bijeljina, but they also referred to the situation in which we have more than 80 decisions of the Constitutional Court which are not implemented, including the decision about Mostar. Because of all this, it is said that the 2014 election could

come under the question mark. We need to say that political leaders are accomplices here because they are not requesting implementation of the decisions of courts and the Constitutional Court: they are silent and silence can cause nearly the same damage as verbal attacks on these institutions.

Oslobođenje: Can the political leaders really postpone the election with their inaction?

Tamir Waser: Yes, they can. Mostar citizens actually show with their example that they could not vote. However, the PIC said quite clearly that amendments to the Constitution, related to the changes of names of municipalities in the RS, should be completed in order to make the election possible. This is something the IC has insisted on for several months. The HoR has done its part of the work, but the HoP must do the same. We hope this will come soon. Even though the IC keeps saying that BiH must fulfill its obligations when it comes to the implementation of the Sejdic-Finci judgment before the next election and even though this is about human rights, we must stress that these same human rights should not be an excuse for denying BiH citizens their voting rights and participating in the election, as planned in 2014.

Oslobođenje: Mr. Waser, who obstructs the implementation of the Sejdic-Finci ruling, and how?

Tamir Waser: The talks on that issue are held with the European Union and I do not take part in them, so that it is very difficult for me to talk about that, although I think that there is a lot of guilt that is being tossed around. I know that there were some proposals in the BiH Parliament, but the Parliament has never voted on them, and the parties that proposed certain amendments failed to support them later. That was even before the talks with the EU started.

Oslobođenje: Yes, but it was Paddy Ashdown who moved decision-

making from the Parliament among leaders and into cafés. Can the OHR now bring decision-making back to the Parliament?

Tamir Waser: The institutions of BiH are of exceptional importance and they should be active. However, I do not know any country with multi-party coalitions in which certain talks are not held outside institutions, and deals made, and then they are discussed within institutions. That is the political reality. However, ownership and responsibility still lie with the BiH institutions and I believe that the international community in the past years also implemented and took part in various reforms aimed at strengthening the institutions of BiH.

Oslobodjenje: The Sejdic-Finci ruling is the ultimate precondition for BiH to make a step forward towards the European road, but it deals with the question of Others, and the Seven [parties] still cannot agree on the Croat issue. How can one untie the Gordian knot?

Tamir Waser: In the end it is necessary to find a sufficient number of votes in the Parliament to change the Constitution. The parties must decide how to ensure the needed number of votes. Like Sejdic and Finci said themselves, this is not about the consequences of a court ruling, but how one can ensure the implementation of the ruling politically. The question is whether all will have the equal right to be candidates in the next elections, to run as candidates for the Presidency, and whether those who are not members of the three constituent peoples will have the right to be represented in the House of Peoples.

There are many ways in which that issue can be resolved, but the political parties will nevertheless have to find a way to ensure the necessary votes for adopting the amendments within the Parliament. It is evident that simple solutions offered by some political parties have so far not come into the voting stage, which clearly shows which road some the parties have

taken. That is their right, and next fall the citizens of this country will have the right to say whether they think that things have gone the right way.

Oslobodenje: Unless they prevent us from voting?

Tamir Waser: It is a fundamental human right to go out to vote, and that would really be an unacceptable move of political parties. I repeat, the PIC said clearly that that is one of the essential rights that the citizens of every country have and that it would be unacceptable if BiH citizens were to be denied that right.

Oslobodenje: BiH citizens say: yes, we want to go to the European Union. And yet the news reached us about additional 45 million of suspended IPA funds for BiH. How does one define the European policy towards BiH?

Tamir Waser: I would define the international approach to BiH as an approach that has the common goal of making BiH a stable, secure, prosperous and multi-ethnic state on its way to the European Union and NATO. When it comes to that policy, then the question of strategy is the same as the question of tactics. I believe that the right question is whether BiH is truly committed to reaching these goals that its leaders claim it is, in particular when you see, for example, that the necessary requirements for these funds to be used for reaching the goals that BiH advocates are not being fulfilled.

Oslobodenje: Does the international community have a response to such behaviour of local politicians?

Tamir Waser: Politicians can be punished by citizens in the way that they do not vote for them in the next elections. If the citizens do not want to take part in elections, that suits only local politicians, because then they do not have the responsibility to try to resolve something. In that way they will vote for those who defended the rights of ethnic groups, or those who best protected the interests of public companies,

or those who tried to maintain the current situation. That would really be a great pity for Bosnia-Herzegovina. Until elections, there is time for citizens to look for something better, to express their dissatisfaction with what the politicians are giving them.

Oslobodjenje: Well, in the latest mandate we did not get anything. And the campaign has already begun.

Tamir Waser: Yes, this period from 2010 was pretty disappointing. Much time was spent on coalition and government forming, and then on transformation of these coalitions and their formation again. We can say generally that the institutions did not work the way they should have. The question is whether the citizens will be focused on what the differences and divisions between them are instead of targeting common problems which are identical for all peoples in both entities and at all levels of government. Politicians in this country are really too happy when they promote differences and division and do everything to show that there can be no common agreement on any issue. I have had opportunities across BiH to meet many people of different ethnicities and I always heard more or less the same messages: they are concerned about economy, jobs, they do not trust political leaders, they are scared for their children and worry in what kind of a society and country they would grow in. It seems to me that these are good foundations for a beginning of a very good dialog.

OHR has enough money

Tamir Waser: In the last session of the PIC we discussed some internal issues concerning financial arrangements and the work of this institution. It is a reality that more than 85 percent of our budget comes from four sources which settle their obligations relatively quickly, but, as every other international organization depending on various institutions we also have to call our financiers quite often to speed up

their contributions.

America Wants BiH in NATO

Tamir Waser: The objective of the American policy towards BiH remains the same. It is the issue of tactics and you have to adjust the tactics to the situation and changes on the ground. I think it is only logical, considering the stagnation or in some cases even a rollback on reforms in the period since 2010, that it will be necessary to consider the situation and make further decisions on such basis. We think that such considerations and ideas should start right now, instead of waiting for the elections. It would be wrong to wait, as we have to support democratic processes from the very beginning. We would like to see a lively election campaign that would focus on real issues and real topics that would not give old and tired phrases of the last 20 years. I believe and I know it is pretty frustrating for citizens to keep hearing from the international community that they as citizens have their role and that they have to do something. Because, in most cases, citizens feel completely powerless and are rather disappointed since they expected to see a change. The truth is that, in a political life, several weeks or months cannot annul the practice of wrong direction and wrong behavior of politicians that we had in place in the last 20 years. It is actually a long and difficult struggle in any democratic system to ensure a lasting change. But it is worth the effort, and it is the struggle we have in other more advanced economic societies. It is a process that develops and is based upon citizens' awareness that they have the ownership and that political decisions are in their hands.

America truly wants to see BiH in NATO and the US policy on the issue of NATO enlargement is very clear but it is not something you will get as a gift, Bosnia and Herzegovina has to fulfill its obligations.