

Preporod.info: Interview with High Representative Christian Schmidt

By: Amina Nuhanovic

In an interview with Preporod.info, the High Representative of the International Community in Bosnia and Herzegovina, Christian Schmidt spoke about current events in our country and threats against the sovereignty and territorial integrity of the country, in the context of the rhetoric coming from the smaller Entity of RS and its President Milorad Dodik that express, by their statements, a clear desire for the secession of the RS Entity from Bosnia and Herzegovina.

He sent clear messages on the genocide and war crimes denial, but also on issues such as the UN Resolution on Srebrenica, "All-Serb Assembly", state property and many other topics.

He also commented on a contract between the Islamic Community of BiH and the State, which has been pending for two decades, and on the issue of the construction of the Mevlana Intercultural Center in Mostar, which is a disputed issue among the local authorities there.

Christian Schmidt: The situation is very clear, Bosnia and Herzegovina as a state is the only subject according to international law. Bosnia and Herzegovina is a state that was not founded by entities, BiH is a state that is the successor of the Republic of Bosnia and Herzegovina, and the Republic of BiH is a state that has a centuries-old history. It is a multi-ethnic country. Bosnia and Herzegovina is the answer to peace, after all those terrible events that we had here during the 90s.

He added that the determination of the International

Community, but also of every citizen of this country, is that Bosnia and Herzegovina should remain as it is, i.e. intact.

Christian Schmidt: I'm sorry that there are some misinterpretations of what is called the framework of the Dayton Agreement, some call it the original Dayton. However, Dayton itself defines enough. When it comes to the interpretation of the Dayton Agreement, the final interpreter, the person who can interpret the Dayton Agreement, is the High Representative, and that is me.

He stressed that, if there is any thinking about some improvements, those are things that need to be discussed.

Christian Schmidt: Improvements can be made when it comes to, e.g. Annex 4, i.e. the Constitution of the Dayton Agreement. But, the golden rule is that, if there is a need to adapt certain jurisdictions, i.e. if there is a need to introduce some new bodies or new agencies, or let's say that there is a discussion about the revenue distribution, then in that case these are the things that need to be discussed.

He told everyone who wants to make a positive contribution to this country, to make improvements, must remember that they have to sit down and discuss these topics together.

Christian Schmidt: Those who talk about the secession should be aware that there are no foundations for such narrative in the Dayton, therefore, there is no basis for that. The international community and the European Union, including everyone else, have an obligation to work in this direction. Sometimes you need to be very clear about how things and I think this is the time to be very clear. Those who want the situation in this country to continue developing peacefully in a united Bosnia and Herzegovina, in the united Europe, can count on me.

When asked, "What about those who do not wish this country well and who strive for its disintegration, such as Milorad

Dodik", Schmidt said that there are tools for that as well.

Christian Schmidt: The international community has a lot of tools at its disposal, and those tools include, among other things, the tools that Bosnia and Herzegovina has as a country. First of all, the decisions made by the institutions of BiH should be respected, and this includes especially the decisions made by the Constitutional Court of BiH. If that is not the case, then I have to see it as anti-Dayton behavior. He cannot expect that all those destructive ideas will be ideas that will just pass by the international community. This is not about exchanges and tradeoffs, but about a peaceful future for this country.

When it comes to the issue of the "Serbian world", Schmidt called on all responsible people in the region to always keep in mind their responsibility, which, as he states, is responsibility not only towards their country and towards their entity, but also responsibility towards the entire region.

Christian Schmidt: I have the impression, this refers to Belgrade, that the responsible political actors are aware that this is all together a challenge. If the intention is for this "Serbian world", that is, the Assembly, to be a single concept that only works towards the goal of intensifying the cooperation between all ethnic Serbs, then that is something that is ok. However, we also have to look at it very carefully to see if, in fact, there is a demand behind it that all members of one ethnic group, that is, members of one nation have to live in one state, because that is a thinking that belongs more to the 19th century. If you look at the situation in the countries across the EU, you will see that in all those countries you have different minorities or members of some different nations and ethnic groups living in one area, in one country, and the success after World War II was precisely in the fact that all these ethnic groups and all those peoples

were able to live there and in the area where they wanted to live without discrimination.

If you ask, for example, what is the nationality of the Chief Prosecutor from the Hague Tribunal – we are talking about Mr. Serge Brammertz – everyone would say: He is Belgian, and that is true. But, when we talk about ethnicity, he is German. He is a member of that German community which has its own governing bodies, but he is actually in Belgium and there is no doubt that his affiliation, his loyalty, is to Belgium and the Belgian state. And nobody is calling for some all-German or all-Italian state where all people of this ethnicity would come together and live in one country. The issues they are talking about is whether or not they have the right to free movement, whether they have the right to their cultural identity and whether they are equal to all other citizens.

He emphasized that there is a need to adapt to the improvements that the 21st century has brought us.

Christian Schmidt: I think that no citizen of BiH who is of Serb nationality has less rights than, for example, Serb people in Montenegro, North Macedonia, Serbia, Germany, so I don't understand why there is this constant need for demarcation.

The High Representative in BiH also gave a clear answer to Serbian President Aleksandar Vučić, who commented on the state property issue over the last few days, immediately after the All-Serb Assembly session.

Christian Schmidt: I am ready to discuss state property with everyone. If you ask, say, citizens of the Republic of Serbia, Serbs living in the Republic of Serbia, to look at how the challenge of the distribution of state property was solved after the breakup of Yugoslavia, they will see how it was done in Serbia, and you will see that it was done in a similar way to what is expected to be done and resolved in BiH as well.

So, the problem is not the state property. The problem is in the misunderstanding of Mr. Dodik, who believes that the right to use public property is one question that would define whether there is a State or not.

He adds that he is very surprised by this non-acceptance of legal facts and by the need to distribute property between the State, Entities, Cantons, and Municipalities and these discussions about this issue.

Christian Schmidt: I have a lot of experience in this issue because I participated, together with some colleagues, when, for example, this issue regarding the property of East Germany was resolved and when things were resolved in our country, Germany. So, I do not know what is the problem here. A clear message from my side: there is a good way and a good possibility to solve this issue, it just requires willingness to resolve it. The questions of the Entity's existence are not related to this situation where you have this question if you can put a flag on every tree you pass by.

Asked whether, if no agreement is reached on the distribution of state property, he will use and impose the Law on State Property, he said that "it is not only the task of the High Representative".

Christian Schmidt: I think that this year we have to see progress, that is, the development of the situation in this regard. This is not only the task for the High Representative. We also have close cooperation with the EU member states, who should give us examples, among other things, of how was this issue resolved in their countries, and I also count that there will be some reasonable thinking on the part of the political class in the RS. When we talk about EU integration, we definitely need the state of law. This means that instead of just having some rhetorical posters that you put up, you should instead take care of your citizens, their wishes and their will. So, I am very optimistic.

Speaking about the adoption of the UN Resolution on Srebrenica, he said that he was personally grateful that it had happened.

Christian Schmidt: Last year on July 11 in Srebrenica, I just called for the introduction of a day at the international level to mark the events in Srebrenica. I think this is the best recipe to avoid the development of cancer, so to speak, which would mean not marking and not learning lessons from what happened in Srebrenica. I see it as a type of cancer that has the potential to spread. You cannot make comparisons between genocides that happened, for example, in my country. There is a great responsibility, that is, our ancestors have a great responsibility politically and in other ways for the terrible events that happened there, and for the Holocaust. After such events, you have to go through a long valley, a valley of sorrow and tears, and after that, when you go through that process, you have to say: Never again!

He emphasized that it is our human task to commemorate the suffering of innocent victims who were killed in such a terrible way. He called on everyone to commemorate the suffering, stressing that it is everyone's obligation, regardless of which ethnicity they come from and belong to.

Christian Schmidt: This is not directed against any nation, nor against any country, it is not anything against Serbia, it is about the crimes that were committed and they are crimes against humanity and yes, they should be commemorated. We saw that all countries, with the exception of Serbia, all countries that were once part of the SFRY supported this Resolution.

We also asked him how he views the denial of genocide, given that it is punishable by the Criminal Code and by the law imposed by the Bonn powers of the former High Representative, and we asked what the Bonn powers ultimately mean.

Christian Schmidt: I think we have to see how it goes with the implementation of the decisions. This is what I think from my side, and I also see that the OSCE and some other institutions are doing a similar thing. This is done in cooperation with the Residual Mechanism. Some rules are followed. Last time when I used the Bonn powers, I made some changes that mean that people convicted for war criminals, for whom the judgments were passed by the Hague Tribunal or some national court, cannot run at the elections and participate in the election process. This is not about trying to somehow take away something from the history of this country and this region, but it is about trying to bring guilt to the level of individual guilt and individual responsibility of persons who committed and ordered those crimes. Every person who suffered and was killed in aggression or genocide has the right to have their suffering commemorated. I do not think there should be any misunderstandings, there are standards and rules in the EU. And those countries that submit an application for EU membership must comply with those rules, which means that there will be additional opportunities for the implementation of the rules that we have here.

He sent clear messages about the events in Srebrenica, announcements regarding the change of the town's name, about the position of Bosniaks and the issues they are facing.

Christian Schmidt: Those things cause concern. Next week, when there is a session of the Peace Implementation Council, we will also have this topic on the agenda. I invited the former Mayor of Srebrenica and Deputy President of the RS to participate in that session in order to give his views on this situation. I think it is necessary to remind very clearly that the RS entity is not exclusively a Serb entity, but that it is a multi-ethnic Entity and everyone has the same rights. If we see that Bosniaks are discriminated against in different ways in that Entity, then it is a situation that cannot remain like that. If the situation were to continue to develop, if there

were more and more investigations being conducted against Bosniaks, that would be something that would be worrisome, and in that case we would have to react.

He emphasized that he came to BiH to help the country on its path of general integration and its path of integration into the European Union, but also to once again underline the determination of the international community that the principles established in the Dayton are respected here and that things are organized and develop in accordance with those Dayton principles and rules.

When asked if peace was threatened, he said that it was politically questioned.

Christian Schmidt: The peace, in the sense of absence of violence and military danger, is not threatened.

When it comes to the contract of the Islamic community with the State, he said that it is not an issue that is within the scope and competence of the High Representative, because, as he says, it is an issue related to the long-standing tradition of living together in Bosnia and Herzegovina, which is why the state institutions should decide about it.

Christian Schmidt: As for Mostar, I think I am well informed about the situation. I spoke intensively with the mufti of Mostar and the Mayor of Mostar. This is an issue that needs to be worked on carefully and I think, if you'll allow me, I will not go into details now, that this is certainly a topic that a lot of people are working on, including me.