

Letter to the EU Parliament from Milorad Dodik, Prime Minister of Republika Srpska, 20 November 2007

Distinguished delegates,

Having a deep respect for the institution in whose work you have been actively participating, as well as for you personally, I feel the responsibility to inform you directly about the crisis in Bosnia and Herzegovina which was created after the decision brought by the High Representative of the International Community, Mr. Miroslav Lajcak, on the 19 October 2007.

With the imposed decisions, the High Representative has directly shaken the foundations of the Dayton Peace Agreement, and has violated the principle of the decision-making in the Bosnia and Herzegovina institutions. 12 years after the signing of the Dayton Peace Agreement, we are faced with the situation that the decisions in the Council of Ministers of BiH and Parliamentary Assembly of BiH are made without the volition of one people.

I want to present to you in details why the decisions imposed by the High Representative are detrimental to the interest of the Serb people, Republic of Srpska and Bosnia and Herzegovina

It is enshrined in the Constitution of Bosnia and Herzegovina that the Council of Ministers consists of three ministries. Gradually, again under the pressure of the then High Representative, the number of ministries within the Council of Ministers was increased to nine. In order to reach any decision within the Council of Ministers, a quorum was introduced, according to which, two ministers from each of the constituent peoples (Serbs, Croats, Bosniacs) were to vote for the adoption of the decision. In that way all constituent peoples and both entities were able to exercise the principle of parity and equality in the decision-making process, without the outvoting.

On the 19 October 2007, contrary to the Bonn power, according to which the High Representative cannot impose the laws, Mr. Miroslav Lajcak, the High Representative, changed the Law on the Council of Ministers, and by doing so has changed the quorum and has opened up the possibility for outvoting. The number of ministers has remained the same, but the quorum has been reduced. According to the latest decision by Mr. Lajcak, even the deputy Chair can convene a session of the Council of Ministers, and in order to hold a session, only 6 members should be present. I want to explain to you that the deputy Chair of the Council of Ministers does not come from the same people as the Chair, which has emerged as a consequence of the very complex relationships in BiH. Therefore, in order to make a decision, 4 ministers from all three constituent peoples should vote for it.

With this Law, Mr. Lajcak has facilitated a situation in which a decision in the Council of Ministers can be made by the members of the three constituent peoples from one entity. This is how a vote coming from the Republic of Srpska in the Council of Ministers could be completely marginalized. In such way, one of the pillars of the Dayton Peace Agreement has been directly destroyed, such being the consensus between peoples and entities. I need to inform you that, with the second imposed decision, Mr. Lajcak has directly organized the work of the Parliament, which in

inconceivable in the world today. By changing the Rules of Procedure, Mr. Lajcak has allowed Bosniac-Moslem people who are in the majority, to make decisions without the volition of the other peoples, starting from 1 December 2007.

Distinguished delegate, the same process of outvoting in our country resulted in a brutal civil war in 1992, whose consequences are still visible. As a Member of Parliament, you understand very well what it means when somebody else, instead of you, would determine the way in which you and your colleagues should perform your duties. I am fully aware that you find this situation completely unthinkable, but you should also know that there is a state, member of the Council of Europe, in which one man can develop the Rules of Procedure of the highest legislative body in the country, and after that he can, instead of the Parliament, draft the law and impose it. The name of such country is Bosnia and Herzegovina.

I call upon you that, in the name of democracy to which you are committed, as well as I personally and my Government, you should stop the violence against the Constitution of Bosnia and Herzegovina. I call upon you to assist in bringing back the decision-making from OHR to the BiH Parliament, in which there are legally elected representatives of the peoples in BiH.

Many untruths have been said lately, according to which the people in the Republic of Srpska connect their destiny with the solution of the Kosovo status. The propaganda has gone so far, that even printed media in some EU countries published the lie that the Republic of Srpska had been preparing for the referendum on the secession from BiH. I want to convince you that the Republic of Srpska is committed to the Constitution of BiH and to the Dayton Peace Agreement, and that we do not think about the referendum on the secession from BiH, and that the Republic of Srpska would remain calm regardless any solution on the Kosovo status. Referendum can only come as a reaction to the denial of the constitutionality of the Republic of Srpska within BiH. Police forces of the Republic of Srpska will put in all efforts to preserve the peace on the territory of the Republic of Srpska in case of unilateral proclamation of the independent Kosovo.

At the end, I wish to reassure you that the Government of the Republic of Srpska sees the future of BiH being the member of EU and NATO, and that the European course has no alternative. We are sure that the EU will understand our need to preserve the Republic of Srpska and its institutions within Bosnia and Herzegovina.

Respectfully yours,

Milorad Dodik
Prime Minister
of the Republic of Srpska