

# **Remarks by High Representative Valentin Inzko to the United Nations Security Council**

*Check against delivery.*

Mr. President, Distinguished Members of the Council,

Before I start, I would like to take a moment to remember Lord Paddy Ashdown, who passed away in December. As High Representative, Lord Ashdown led the international community in Bosnia and Herzegovina through a critical period, implementing key provisions of the General Framework Agreement for Peace, building and strengthening the institutions crucial to reintegrating the country and its peoples.

Lord Ashdown was quoted as saying of Bosnia and Herzegovina, "It's the place you cannot leave behind."

And he showed this to be true. Until the very end of his life, even just days before his passing, Lord Ashdown remained a vocal advocate for the country, and a champion of multilateralism in an increasingly complex world.

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Ladies and Gentlemen,

Last November, I reported to this Council on how the October 7 General Elections had defined the political events of the previous months. Now, seven months on from those elections, the process of building coalitions and appointing governments continues to dominate the political dynamic in Bosnia and Herzegovina.

While Republika Srpska and some Federation cantons moved swiftly to form Governments, regrettably, there has been no appointment of a new State-level Council of Ministers or a new Federation Government.

Nevertheless, concrete discussions among parties on a state-level coalition appear to be more advanced now, as confirmed in my contacts with key political players before my departure.

The international community expects a new Council of Ministers to be formed as quickly as possible, focused on a forward-looking agenda of reforms.

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Over the last six months, we have continued to see a positive consensus across the political spectrum on the need for further integration of Bosnia and Herzegovina with the European Union.

This was reflected in February, when the Council of Ministers finalized the follow-up responses to the European Commission Questionnaire and in March when BiH Presidency Chair Milorad Dodik personally delivered the answers in Brussels. As you know there were almost 4,000 questions.

Despite this positive political step, we have also seen a continuation of divisive and destabilizing rhetoric, sometimes from the very same leaders who profess a commitment to the country's EU path.

This inconsistency poses a serious challenge to BiH. While Presidency Chair Dodik has worked with his fellow Presidency Members to find agreement on several important issues, he continues to speak against the statehood of Bosnia and Herzegovina, to threaten the future secession of Republika Srpska and to assert that Republika Srpska is a state, for example most recently saying that, "...we are already separated. It just hasn't been proclaimed yet."

He has also stated that if Kosovo becomes a member of the United Nations, Republika Srpska would declare independence. To illustrate his intentions, he has on more than one occasion displayed a map of Serbia joined with Republika Srpska and a part of Montenegro as a single state.

It is my duty to warn you of potential developments. But I would also ask the distinguished members of the

Security Council: How might you react if a regional representative in your own country made such explicit statements and declared part of your country an independent state?

The secessionist rhetoric and the longstanding policy of challenging the state of BiH unfortunately became a constant over the last several years. I believe therefore we should push back on these negative trends more decisively.

In addition to separatist statements from some Republika Srpska political representatives, the main Croat parties persistently reject the judgements of international courts concerning their wartime leadership and seek to revive the structures of that period's para-state. To be clear, they are rejecting the judgements of an international court, the ICTY, which was created by this very body, the Security Council, in a unanimous vote, in 1993.

Also, earlier this year, the main Bosniak party announced its intention to launch an initiative to challenge the name of Republika Srpska before the BiH Constitutional Court, which predictably led to further threats of secession.

In this context, I must stress that the Constitution of Bosnia and Herzegovina establishes that the state of Bosnia and Herzegovina consists of two entities, the Federation of Bosnia and Herzegovina and Republika Srpska. The international community remains unwavering in its commitment to the territorial integrity and fundamental structure of BiH.

I am grateful to Angela Merkel and Emmanuel Macron for organizing the recent Berlin meeting of Balkan leaders affirming the international community's resolve in this regard.

In contrast to statements from the BiH Presidency Chair challenging the statehood of Bosnia and Herzegovina and supporting the independence of Republika Srpska, I must acknowledge with pleasure that President Vucic of Serbia has continued to express respect for Bosnia and Herzegovina's territorial integrity and sovereignty, most recently at the opening of the Mostar fair on April 9<sup>th</sup>, and following the recent Berlin conference.

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Another issue that recently emerged and has raised tensions is the possibility of reserve police forces being created in the entities. In April, the Republika Srpska National Assembly moved forward with legislation to create a reserve police force, whose purpose has been variously explained as a response to public security challenges associated with migration or to respond to natural disasters.

This move, interpreted by some as an attempt to build an alternative military force, raised grave concerns in the Federation. In response, the competent parliamentary committee in the Federation has said it would do the same.

The issue has also been seen in the light of the previous controversy over the disproportionate purchases of long-barrel weapons by the RS police.

Recently, a member of the main board of the ruling party in the RS wrote that the reserve police is "a replacement for the Army of Republika Srpska."

The current political discourse related to "reserve" police forces in the entities, which began with the unilateral step taken by the RS, does not contribute to peace and stability in Bosnia and Herzegovina.

On the contrary, it has generated a negative spiral of mistrust and unhealthy competition. If the current dynamic escalates further, it could create tensions and divisions, destabilizing the country.

Bosnia needs less weapons and less people in police uniforms, not more. We must do all we can to prevent a police arms race.

Instead, authorities at all levels should work towards better cooperation in order to maximize public security and a safe environment for all citizens. Immigration, refugee and asylum policy are the constitutional responsibilities of state institutions, and their capacities should be reinforced. This would be an appropriate example of better cooperation, and I have made this clear in my public statements.

Given the region's recent past, these matters deserve the continued attention of this Council.

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Ladies and Gentlemen,

All that I have described today occurs against a backdrop in which the political leaders continue to avoid obligations with respect to the rule of law, particularly, and persistently, failing to respect binding decisions of the state judiciary.

I have previously mentioned the unimplemented decisions of the BiH Constitutional Court in the Ljubic case and on the electoral system of the City of Mostar, the latter of which has prevented the organization of local elections since 2008.

It is inconceivable that a major city in a country that aspires to join the European Union and to be the Cultural Capital of Europe, has not held local elections for over a decade!

The Republika Srpska authorities continue to refuse to respect judgments of the BiH State Court and the BiH Constitutional Court concerning the registration of defense property and the 9 January "RS Day" holiday. Additionally, the authorities in several Federation cantons have failed to take necessary steps to ensure the equality of Serbs in those cantons. In those cantons the Serbs do not exist in cantonal constitutions, so the Constitutional Court has said that this has to be changed.

I must also highlight the failure of the authorities to implement decisions of the European Court of Human Rights in the "Sejdic & Finci" and related cases, which leaves in place a system that discriminates against a significant number of citizens to exercise their right to stand for public office. They can all vote, but they cannot be elected.

It is now 24 years since Dayton and almost 10 years since the ECHR first ruled on this issue, and representatives of minority groups still cannot run for the state Presidency and the House of Peoples.

For this group of citizens, one of the most sacred principles of civilization, *égalité*, does not exist, for a quarter of a century. This is unacceptable, and the authorities must act without delay to remedy the situation.

In the context of the rule of law, I must also report that following recent the decision to increase the sentence against Radovan Karadzic, we again saw denials of the genocide committed in Srebrenica, even though it has been confirmed by two international tribunals, one being the ICTY, established by this body.

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We have also witnessed efforts over the last six months to curb freedom of expression and dissent.

In December, the Republika Srpska authorities broke up the months-long daily protests in Banja Luka over what activists alleged was a cover-up in the suspicious death of a young man and have impeded attempts to organize new protests.

As the authorities have expressed intentions to amend legislation related to public gatherings and the work of journalists, the international and NGO communities have spoken out against actions that would limit democratic rights and freedoms. In this context, I welcome that the RS authorities have taken steps to reflect such concerns with regard to the Law on Public Peace and Order, and I encourage continued dialogue on related initiatives.

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Ladies and Gentlemen,

My intention today is to illustrate that Bosnia and Herzegovina still requires the attention and unified approach of the international community.

We have long taken for granted that the great progress the country has made since 1995 and is somehow irreversible. But it is important that we recognize backsliding when it occurs and acknowledge that our mission is not yet complete.

The OHR is in BiH to ensure that the Dayton Peace Agreement, including the BiH Constitution, is respected, and

that the substantial reforms enacted to implement Dayton are not only maintained but completed. This functionality is a logical precondition for the country to meet the challenges ahead, including the integration aspirations supported by all major political parties.

For my part, I continue to focus on fulfilling my mandate in accordance with Annex 10 of the Peace Agreement and relevant UN Security Council Resolutions. It is imperative to insist that the authorities remain focused on full compliance, otherwise we risk encouraging further rollback of the reforms.

At the same time, I cannot govern in place of the elected leaders of Bosnia and Herzegovina. Only they can take the steps necessary to move the country forward.

So, I invite the political leaders in Bosnia and Herzegovina to exert sincere effort to overcome their differences and finally move forward with the appointment of the State and Federation executive authorities, and work with the authorities of Republika Srpska and the cantons to fully implement the Dayton Peace Agreement.

Additionally, I implore the leaders to abandon the destabilizing and divisive rhetoric rooted in the past and take strides to keep the country moving forward on the EU path, in the interests of all citizens whom they represent.

It is of particular importance to establish a positive socioeconomic environment and ensure rule of law in order to stem the exodus of brilliant young people, the country's most important natural resource.

Respected Members of the Security Council,

Citizens of Bosnian and Herzegovinian origin are now sitting in the parliament of Austria, in the House of Lords in the United Kingdom and in at least one state legislature in the United States. Outstanding young people like them who have remained in BiH represent hope for change and the future of BiH.

This is why I am ending with an optimistic tone, and also with Lord Ashdown's quote that I mentioned at the outset: Bosnia-Herzegovina is the place we cannot leave behind.

Thank you.