

Real and positive change is possible

Keynote Speech by High Representative Valentin Inzko at an Online Symposium on the Legacy of the Dayton Peace Agreement, organised by the Yale University Genocide Studies Program and the Southern Connecticut State University Office of Academic Affairs, 6 November 2020

Conference Participants,

Let me begin by thanking Professor Pettigrew and Doctor Simon for inviting me to speak at this week's symposium, and the Yale University Genocide Studies Program and the Southern Connecticut State University Office of Academic Affairs for organizing this event, which I believe can make a useful and substantive contribution to policymaking in Bosnia and Herzegovina.

Maintaining Peace

Let me start with the plus side of the balance sheet.

As we approach the 25th anniversary of the Dayton Peace Agreement, we can look back on a series of achievements that have made life better for BiH citizens. The first of these – the fundamental objective of the Agreement – is peace.

No one who experienced the war and its immediate aftermath will underestimate the value of this. Twenty-five years ago, the four million inhabitants of Bosnia and Herzegovina – two million of them violently uprooted from their homes – were reeling from the bloodshed and chaos of the previous three and a half years.

Just weeks had passed since the slaughter at Srebrenica – the perpetrators of the genocide were even then moving the bodies of their victims in the hope that the scale of their crime would never be known.

So, when we examine what has been done badly or not at all during the last quarter of a century, and when we consider what must now be done, let us not overlook the important fact that peace was established at Dayton and it has been maintained ever since.

Effective Measures

The months and years after the end of hostilities were characterised by rapid and, for the most part, effective measures to provide immediate aid to the population, to restore physical infrastructure and to set in place the legal and political institutions that would sustain recovery and allow the country to develop and eventually prosper under its own steam.

Key strategic initiatives included establishing free movement – significantly boosted by the introduction of the single currency, the Convertible Mark, and uniform car license plates, in 1998; the enforcement of refugee return under Annex 7 of the Agreement; the introduction of biometric ID cards and passports under the Citizen Identity Protection System; the introduction and management of a modern Value Added Tax; comprehensive judicial reform, which included overhauling the Criminal Code; and police reform and reform of the armed forces, the latter of which has resulted in BiH units serving in peacekeeping efforts around the globe.

The Office of the High Representative was a major driver of these reforms. OHR worked with the BiH Central Bank, the international financial institutions and the relevant BiH agencies and ministries to introduce the new currency and the indirect tax systems, both of which have been enormously successful. Likewise, OHR established and led the Return and Refugee Task Force, which brought together the main international and domestic agencies to enable and accelerate the safe return to their homes of refugees and displaced persons. And, among many other reforms, OHR spearheaded the rehabilitation of the police and armed forces and the process of judicial reform, together with partners, including the UN.

The Bonn Powers, granted to OHR in 1997 so that it could fully implement its mandate under Annex Four of the Dayton Peace Agreement, were essential and effective during the first phase of recovery and reform. They were deployed judiciously by my predecessors in a way that made it possible for the International Community, working

closely with domestic partners, to support a swathe of reforms that have provided Bosnia and Herzegovina with the institutional and legal infrastructure required to function as a modern democracy.

Patronage and Corruption

By listing these positive developments I am not seeking to paint a rosy picture of a reality that is less positive. On the contrary, I want to stress the successful elements of reconstruction and recovery because they show conclusively that progress is possible. Mistakes can be corrected and difficult problems can be solved through robust and creative solutions.

Now, let us look at the present reality.

Bosnia and Herzegovina is stagnating. Its young people are leaving and its principal political parties are mired in a system of patronage and corruption.

A friend of mine recently spent several days in hospital to have surgery for a condition arising from a wound sustained during the war. As he tells me, the nurses and doctors and auxiliary staff were cheerful, resourceful and attentive – but they were clearly working with very meagre resources. And while the level of clinical expertise is high, the level of administrative organization is low. Patients have to go from pillar to post, waiting for hours in hospital corridors to be seen by overworked reception staff before they will finally receive the treatment they need.

In the health sector, as in so many other areas, the systemic problems created by a quarter of a century of partial recovery are self-perpetuating. Bright youngsters who have the brains and the commitment to become physicians, face a raft of obstacles – not the least of which is money. To study medicine in Bosnia and Herzegovina today is something that in many cases only the wealthy can afford.

This applies all across the public sector – conscientious teachers and civil servants and utility workers and police officers and many, many more use their hard-won skills diligently and competently every day but they are poorly served by inadequate budgets and ponderous administration.

Change Is Possible

How much of this is the fault of the post-war settlement? Was it inevitable that Dayton could not by itself sustain the social and economic and political development that was supposed to take place under the umbrella of peace?

My answer is: no, it wasn't inevitable.

And: no, the present stagnation does not have to continue.

Change is possible.

Just as the International Community, coordinated by OHR, successfully delivered key elements of recovery in the decade after the war, it can successfully contribute to a social and political sea-change today.

And just as the people of Bosnia and Herzegovina have defied the worst excesses of their political representatives – regularly displaying in daily life a decency that is often absent from political life – these same citizens, with robust and consistent support from international partners, can set the country on a new course.

For this to happen, some embedded responses will have to be replaced by new and more dynamic tactics.

The European Way

There is a myth about southeast Europe. It holds that corruption is endemic in these parts, and the default position in politics and in society is dishonest deal-making.

The reality, as anyone who spends time in Bosnia and Herzegovina or its neighbours will tell you, is substantially adrift from this dystopic and amoral picture.

Bosnia and Herzegovina is a society that has traditionally prized solidarity and personal and professional excellence. It is a society in which civil obligations and civil rights are well understood. Just to give you one anecdotal example – there is a degree of tenant engagement and participation in the management and upkeep of

housing blocks that is often entirely absent in other, more prosperous parts of Europe.

Yet, too many external partners fall for the notion that there is a 'Balkan way' of doing things. Too many have been led to believe that the only way to get anything done is to do it 'the Balkan way'.

This acceptance of the 'Balkan way' has helped a political elite to maintain its stranglehold on political discourse.

It is precisely because of this sort of thinking that a quarter of a century after the end of the war BiH citizens are waiting in crowded and chaotic hospital corridors to be attended by overworked and underpaid medical staff.

As members of the international community, we must articulate and uphold the values and principles that have worked in our own countries.

European Union standards of ethics in public life and standards of efficiency and competence in public administration have underpinned decades of social and economic achievement. Far from wishing to circumvent these standards, BiH citizens would willingly embrace them. It is only the political elite that views them with scepticism.

The backward steps we have witnessed in Bosnia and Herzegovina in recent years, I believe, are a function of accepting some mythical 'Balkan' way of doing things.

We must insist instead on the European way of doing things.

Constitutional Change

There is also a view that further progress is unlikely without substantial constitutional change.

Do we need to change the constitution? Possibly.

It would certainly be easier to get things down if the communal politics embedded in the Dayton system were replaced by modern, democratic discourse in which citizens have the means to articulate their aspirations and complaints.

But a more pertinent question is: are the current political parties capable of delivering this constitutional change? Clearly, they are not. They have had twenty-five years to deliver and they have not done so. Why should they? The status quo suits them.

My experience tells me, however, that change is possible. It can be brought about if the international community engages with grassroots stakeholders – citizen activists and NGOs that have the energy and the legitimacy to deliver real and positive change if we extend a cooperative hand.

A Robust Near-term Strategy

In my view, this must be the long-term strategy – but what about the near-term?

Well, there are some immediate threats that need to be met with robust action.

The Bonn Powers have not been used since 2011 – but they could be deployed again in order to end the flagrant disregard for the judicial system that has been such a blight on social stability and economic recovery. Decisions of the courts are being challenged or ignored. This is a cancer that will ravage the body politic of Bosnia and Herzegovina if it is not cut out. In poll after poll, BiH citizens identify the absence of the rule of law as the biggest threat to daily life in this country.

Even as they challenge the legitimacy of the courts, politicians who have amassed power in the post-war era have become adept at citing articles of the Dayton Peace Agreement which, they contend, support their own agenda. As the official with responsibility for supervising implementation of the Agreement's civilian provisions, I can say categorically that Dayton gives no one the right to challenge the country or its people.

The European Union is undoubtedly the preeminent partner for Bosnia and Herzegovina when it comes to helping the country move towards the levels of prosperity and progress enjoyed elsewhere in the continent – and the coming municipal elections can boost this long-term process. OHR will be a willing and cooperative partner to all

those international actors who work with BiH stakeholders to achieve a positive change of course.

There are many achievements already on the balance sheet. I believe we can add substantially to this tally relatively quickly if we take a robust approach.

Thank you