

Lecture by the High Representative, Valentin Inzko, “Bosnia and Herzegovina and the Role of the OHR”

Organised by the International Institute for Middle-East and Balkan Studies (IFIMES)

As Part of the “West Balkans and the EU” Lecture Series

Europe Centre, Ljubljana, 20 April 2012

Check against delivery.

Ladies and Gentlemen,

The theme of this lecture series – the West Balkans and the European Union – correctly and usefully places European integration in a regional context, rather than dealing with the process on a country-by-country basis.

While Bosnia and Herzegovina has undoubtedly had to face the most severe social and political challenges on its road to Europe, its progress – or lack of progress – along this road will help or hinder the progress of its neighbours. And this means that the success of Bosnia and Herzegovina is integral to the success of the Western Balkans as a whole.

I will focus my remarks today on the role of the OHR since the Dayton Peace Agreement and in the current context.

OHR's constitutional position

Annex X of the Dayton Peace Agreement stipulates that the High Representative will – among other things – monitor the implementation of the peace settlement, promote full compliance with all civilian aspects of the Agreement, coordinate the activities of civilian organisations and facilitate, as he judges necessary, the resolution of difficulties encountered in civilian peace implementation.

UN Security Council Resolutions 1031 and 1112 confirmed the High Representative as the final authority in theatre when it comes to civilian implementation of the Peace Agreement.

Thus, for the last sixteen years the OHR has carried out a key role in the assisting the authorities in implementing the Peace Agreement, which includes the BiH Constitution as Annex 4.

Five plus two

Over the past few years there has been a broad consensus within the international community of the need for OHR and the international community as a whole to step back from taking a direct role in resolving the challenges facing the country, and to encourage the country's elected representatives and institutions to take full responsibility for finding solutions.

This has always been viewed in the context of Euro-Atlantic integration.

As international guarantees provided to the people of Bosnia and Herzegovina through the Dayton Agreement are assumed by domestic institutions, the country's four million citizens will increasingly enjoy the legal and security guarantees that are afforded by closer association with and eventual membership of NATO and the European Union.

At the same time, it has never been the intention of the International Community simply to abandon the people of Bosnia

and Herzegovina to the uncertainties of a dysfunctional domestic political system.

In February 2007, as part of this evolutionary process, the Peace Implementation Council Steering Board laid out a “five plus two” agenda. The second of the two conditions defined in the agenda is that Bosnia and Herzegovina will reach a level of political stability and maturity where the Steering Board is in a position to judge that the country is in full compliance with the Dayton Agreement.

The OHR has been strategically focused since 2007 on helping the BiH authorities to fulfil this agenda. At the same time, it has continued to carry out its role under the Peace Agreement and Security Council resolutions of upholding the agreement and protecting the reforms achieved in its implementation (where necessary by executive mandate), and coordinating the efforts of civilian agencies in the country.

Political maturity

It has become fashionable in some quarters to argue that OHR’s ability to overrule the decisions of elected representatives has prevented the BiH political establishment from maturing. As long as they have to look over their shoulder for approval, the argument goes, domestic political office holders cannot attain the stature of fully responsible government leaders.

But the fact is that in all functioning democracies, the freedom of action of elected leaders is curtailed. There are checks and balances. Politicians are bound by the law, and by the institutions that are empowered to interpret and uphold the law. As things stand, in Bosnia and Herzegovina the OHR is one of those institutions acting to ensure the peace agreement is upheld.

The OHR has carried out this task impartially and it will continue to do so until it is clear that this is no longer necessary.

The good news from Bosnia and Herzegovina in 2012 is that there are growing signs that the political establishment is beginning to display precisely the maturity that will allow it to carry the country forward in a constructive, creative and responsible way.

On 10 February – more than 16 months after the elections – a BiH Council of Ministers was finally appointed, and the incoming administration has pledged to put Euro-Atlantic integration at the top of its agenda.

On 9 March, political agreement was reached on the allocation of defence property and state property, opening the way for NATO MAP, a step forward in addressing the PIC Steering Board's five-plus-two agenda – albeit more than five years after that agenda was first formulated.

I believe the political establishment may be responding to electoral imperatives: the economic hardship and social deprivation that have been caused by protracted grandstanding and confrontation simply cannot be sustained indefinitely.

This could be tremendously valuable for hard-pressed citizens because in the recent past when those who wanted to make Bosnia and Herzegovina work had the upper hand the country recorded the highest economic growth rates in Southeast Europe.

The European perspective

There is also, I believe, a growing sense that if Bosnia and Herzegovina misses the present opportunity to join the European Union along with its neighbours, it will have committed a strategic error that will not be corrected for a generation – and there isn't a leader in the country who is strong enough to survive the popular disaffection that this would bring about.

I am encouraged by the approach adopted by both NATO and the

European Union. They have maintained a forthright engagement that reassures and encourages BiH citizens and at the same time provides practical support to the political leadership.

This conditionality has been positive, not negative. Throughout, it has been made clear that full Euro-Atlantic integration – and the material and political benefits that come with that – is on offer. It is there for the taking.

What the leaders of Bosnia and Herzegovina need to do now is fulfil their commitments.

By actively carrying out its UNSC mandated role to uphold the Dayton Agreement, OHR is helping to maintain an environment in which the European Union can focus its energies on advancing the integration agenda.

I believe that this is good news not just for the people of Bosnia and Herzegovina but for the people of the European Union. At a time when the EU is facing serious economic and social challenges the last thing it needs is a crisis in Bosnia and Herzegovina that could have been prevented.

Today, NATO and the EU are offering the people of Bosnia and Herzegovina a positive alternative after the tragic events of the 1990's. And OHR is playing its role in maintaining an environment in which this transition can be completed.

Thank you