

Speech by the High Representative, Christian Schwarz-Schilling to the UN Security Council

Mr President,

This is the first time I have the honour of addressing the Security Council as High Representative for Bosnia and Herzegovina .

I am particularly pleased to be here alongside the Chairman of the BiH Council of Ministers, Adnan Terzic. This reflects my role in BiH today – a partner alongside the Bosnian authorities.

I am addressing you today at a crucial time in the development of Bosnia and Herzegovina . The phase of postwar reconstruction is coming to an end. It is my job to complete it and to facilitate progress towards Euro-Atlantic structures.

This phase will see the country progress from a framework set in Dayton , towards a structure established and owned in Sarajevo , ready for closer integration with Brussels .

One of my key tasks in this process is to oversee the end of the OHR and the full establishment of the EUSR office. The end of the OHR will also mean the end of the special executive powers, the so-called Bonn Powers.

I look forward to the support of the Security Council in completing a successful transition. I hope that this can occur in the first or second quarter of 2007, although this will depend on a number of factors.

However, in order to achieve a successful transition, an important principle is at stake: OWNERSHIP. This goes to the heart of my mandate.

The principle of ownership refers to the need for Bosnia and Herzegovina to assume its full responsibilities as a 'normal' European democratic State.

But the principle of ownership also refers to the approach of the International Community: our approach must change in order to allow a democratic political culture to develop that will be sustainable in the long-term. There can be no sustainability without ownership.

I would like to ask for your support in this new approach. This is easier said than done.

Indeed, there will be temptations for the International Community to act and intervene in order to ensure short-term gains. These are likely to increase rather than decrease as we move towards the completion of the present phase. But it is at this very stage that such reactions and interventions cannot be compatible any more with the long-term development of an independent and sovereign Bosnia and Herzegovina.

We have talked about ownership for some time. Now we must be ready to uphold this principle in our actions as well as in our words. This may mean we have to stand back and allow the Bosnian authorities to take decisions, when previously we would have acted and directed the process.

I see 3 priorities in 2006 for Bosnia and Herzegovina :

- firstly, constitutional reform;
- secondly, the general elections in October; and
- thirdly, the ongoing SAA negotiations with the European Union.

I shall start with constitutional reform. After months of

negotiations, the Bosnian political leaders reached an agreement on a package of measures that reform the constitution. It is now up to Parliament to take the responsible decision to pass this in the coming week.

This agreement is an important step towards making Bosnia and Herzegovina a more functional state. But it is only a first step. Constitutional reform is a process and not an event. Discussions on further constitutional reform will commence after the October elections.

Bosnia and Herzegovina faces a historic opportunity in the next few days. The decision by Bosnian parliamentarians to pass this package will send an important signal to the International Community, and specifically to Europe, about the country's readiness to reform itself on the path to Europe and to serve its citizens better. It is important that everyone understands what is at stake. A 'No' to constitutional reform would send an entirely different signal to Europe and the rest of the world.

In the general elections in October, the Bosnian people will for the first time vote for leaders who will have full responsibility for governing their own country. There will in future be no safety net from the International Community to step in when there are problems. This is how democracy gives ownership to the voters of Bosnia and Herzegovina .

The Bosnian authorities have made a very positive start to negotiating a Stabilisation and Association Agreement with the EU. This sends a positive signal to Europe about Bosnia and Herzegovina 's professionalism and capacity to negotiate with her future partners.

Now there are two important topics on which I intend to engage with renewed focus:

– the economy, and education.

Serious progress is required on both if Bosnia and Herzegovina is to offer a better and more prosperous future for its citizens.

Sound economic development is the prerequisite for a stable democratic process and a sustainable future for the country. I will therefore make support of the economy a personal priority of my term in office.

I see great economic potential in BiH. There is annual economic growth of over 5% and scope for significant development in key industrial. But trade and investment are vital to allow Bosnia to stand on her own two feet economically.

Moreover, we have a responsibility to create favourable conditions for the economy to prosper. We cannot encourage economic development on the one hand, but impose restrictive visa regimes on the other. I am therefore lobbying EU Member States on the question of visa facilitation for BiH citizens.

Every healthy economy needs high standards of education. Here lies the key to a brighter future for Bosnia and Herzegovina and to reconciliation for future generations. The youth of the country who represent the future deserve a better education; in order to be competitive alongside their future European partners, they will need a better education.

The lasting division of the Bosnian education system along ethnic lines has to end. The lack of responsible ownership in the relevant domestic structures must change. The Bosnian authorities and institutions have a major opportunity to serve their citizens and fulfil international obligations in the field of education. There will be great potential benefits across all aspects of the country's development if progress is made on this issue.

It is also our duty to tie up three outstanding issues from the post-war period.

First, I regret that the BiH authorities have not yet resolved the issue of full cooperation with the International Criminal Tribunal for the former Yugoslavia to ensure that the remaining fugitives, chiefly Mladic and Karadzic, are delivered to the Hague. Bosnia and Herzegovina's advancement towards Partnership for Peace and NATO structures requires concrete results.

We saw good progress in 2005. But we have not yet seen the same kind of progress in 2006. This is not acceptable. The International Community must take a firm stance. Until the remaining ICTY issues have been resolved, Bosnia and Herzegovina and others in the region will not be able to take the final steps towards Euro-Atlantic integration.

Second, I have already taken steps this month to solve the status of officials removed by the High Representative from public positions.

Removals played an important role in Bosnia's post-war recovery. But there are compelling reasons why these bans should now be lifted before OHR closes. This will not apply to those removed for non-cooperation with ICTY which is an obligation that Bosnia and Herzegovina has not yet met in full.

I have developed a parallel system to lift all bans gradually as well as make reviews on an individual basis.

Such measures show the seriousness of my commitment to transfer responsibilities to the Bosnian authorities.

Third, there remains one final issue that needs your support in order to resolve. This concerns a legal anomaly that dates back to the UN's IPTF mission. I personally want to see this issue resolved before the end of the OHR's mandate.

The issue concerns police officers who were decertified by the IPTF without the possibility of review or appeal. The EU

Police Mission, the successor to the IPTF, did not assume certification responsibilities. This situation cannot be redressed without the support of the UN.

I share and fully support the approach of the Bosnian government on this issue. And I have received the full backing of the EU to pursue a solution. I believe the situation can be resolved constructively to the benefit of BiH and to the credit of the Security Council. The OHR and the EU stand ready to work with the UN to initiate such a review that can address this issue in a proper manner.

I am willing to send an expert to New York alongside representatives of the EU Presidency and Council Secretariat to work with the UN to facilitate setting up such a review.

It is time to resolve this issue. We should not preach the principles of the rule of law, responsibility for reforms and ownership, and at the same time contradict this principle in our own activities. I urge you to address this issue so that it can be resolved once and for all.

And so I speak to you today as Bosnia and Herzegovina stands at the threshold of a promising future.

Bosnia and Herzegovina has the opportunity to be a fully independent sovereign state.

The country must take on responsibility for its own political reforms and economic development.

Bosnia and Herzegovina is now in a position to signal to Europe and to the world that the country is ready to become a full partner in Euro-Atlantic structures.

But we should be aware that the present phase is probably the most challenging for both Bosnia and Herzegovina and for the International Community: on the one hand, the BiH authorities learning to take full responsibility for their own progress

and development; on the other hand, the International Community learning to resist intervention when key decisions are being taken by the Bosnian authorities.

The International Community has set out clearly the principles of democracy and the rule of law, and put in place the foundations of a functioning State – now it is time to hand over the reins to the people of Bosnia and Herzegovina and their elected representatives.

I look forward to assisting, advocating and advising the authorities of Bosnia and Herzegovina , but no longer doing their job for them. They must now seize the opportunities that stand before them to shape their own future.

Thank you.