

# High Representative Acts to Ensure that Military in BiH Are Under Effective Civilian Control

The High Representative, Paddy Ashdown, on Wednesday issued a series of Decisions which will address the systemic weaknesses in the civilian control over BiH's armed forces, brought to light by investigations into the Orahovac Arms-for-Iraq affair and the related revelations that the VRS has spied on BiH citizens, politicians, International Organisations and neighbouring countries.

The High Representative said the Decisions enacted today – which will affect both the Federation and Republika Srpska since systemic weaknesses in civilian control of the military have been identified in both Entities – would help prevent BiH ever again being put at risk of UN sanctions.

The High Representative's Decisions are as follows:

- The Supreme Defence Council of Republika Srpska has been abolished.
- Provisions of the Entity constitutions, and the RS Laws on Defence and the Army, and the Federation Law on Defence have been amended to remove references which either declare or infer that the Entities are states in their own right, rather than part of the state of Bosnia and Herzegovina. All references to statehood, independence and sovereignty have been removed from the Constitution of the RS, thereby bringing it into line with the BiH Constitution as required by Dayton.
- The High Representative will establish a Commission, with the OSCE, to identify constitutional and legal

barriers to effective state-level command and control. This Commission will propose amendments to address these by 1 January 2004.

- The Entities will be required to submit plans bringing their weapons industry under proper civilian control, by 30 April 2003.
- The High Representative will ask the Ministry of Foreign Trade and Economic Relations and the Secretary General of the Standing Committee on Military Matters (SCMM) to draft state-level legislation to govern weapons production, so that not only the sale but also the production of weapons is brought under proper control.
- COMSFOR and the Joint Military Commission will ensure that far-reaching reforms to the structures of the BiH armed forces are adopted by 1 January 2004, to allow them to operate within their budget allocations. These reforms will include an FBiH plan to eliminate dual structures in the VF.
- The High Representative will ask the BiH Ministry of Foreign Affairs to require all senior military officers to submit details of all official travel abroad to the SCMM Secretary General and the Ministry of Foreign Affairs.

“These Decisions will strengthen state-level command and control of BiH’s armed forces,” the High Representative said, adding that they will harmonize the Entity constitutions with the BiH Constitution in military matters. “They will also tackle one of the fundamental problems underlying both the Orao and the spying scandals: too many in the RS think the RS is a state not an Entity. Signing arms deals with foreign governments are the actions of a state. If the RS had truly accepted its role as part of BiH, they would not have happened.”

The High Representative emphasised that these Decisions are in the interests of all the citizens of BiH. “The violations the

RS President failed to prevent have done enormous damage to the RS," he said. "In the face of the gravity of these matters I had no option but to act as I did. The people of the RS are entitled to look to me to uphold the Dayton competencies for their Entity. But they are not entitled to expect me to stand by while Entities place in jeopardy the Dayton competencies of the state. In Serbia, the links between the mafia and certain elements of the security and military intelligence services led to the assassination of the country's Prime Minister and one of its greatest hopes for the future. We must never allow this to happen in Bosnia and Herzegovina"

The High Representative said that with the resignation of Mirko Sarovic from the BiH Presidency, to take responsibility for the Orao Affair, and the reform package which he announced today he was satisfied that the Arms-to-Iraq affair and the VRS espionage scandal had been effectively addressed.