

Speech by Senior Deputy High Representative, Amb. Gerd Wagner for Transmission on SRT and BHTV

I am speaking to you tonight in an attempt to clarify certain significant events that have arisen in Bosnia and Herzegovina over the past few weeks. I welcome this chance to present the position of the High Representative and hope to have the opportunity again.

There are many issues to talk about, however today I want to focus on a small number of urgent issues which concern all the people of this country but specifically the citizens of RS.

It is now nearly 2 years since the war ended. The economic and social situation in both entities remains difficult. This is particularly true in the RS where too many people are unemployed or exist on low salaries. Economic reconstruction is lagging behind in the RS and is not achieving the effects that it should. The common institutions set up after last year's elections still fail to face up to their responsibilities. Their workload to create a legal and political framework for economic improvement and prosperity is high and increases every month. In particular the members of the common institutions selected from the RS are delaying this vital work and missing opportunities for economic growth and democratic reform pushing the RS further into isolation.

We are willing to assist in all areas. We are offering solutions which would make the life of the citizens of this country better. Time and time again we are being blocked. Laws on Passports, airports, freedom of movement. Laws that will lead to investments and jobs all blocked.

Over the last few days and weeks OHR has been active in promoting laws and amendments which once adopted will benefit the people of RS a great deal. We would like to help all those in this country who wish to travel inside BiH and abroad. This is why the speedy adoption of the laws on Citizenship and Passports are so important. What I am about to say is complicated and I will say it slowly. Please listen hard.

There will be one citizenship for all people of Bosnia and Herzegovina and the citizenship Laws of the Entities will be in accordance with the Constitution of Bosnia and Herzegovina and the Law on Citizenship of Bosnia and Herzegovina. The Law on citizenship is positive in nature – opening the door to citizenship rights rather than being restrictive and denying it. Due to the war Bosnia and Herzegovina is a country with very specific circumstances; many of its citizens are refugees scattered around the world while a number of citizens of other former republics of the Socialist Federal Republic of Yugoslavia have been displaced and now find themselves in Bosnia and Herzegovina.

We want refugees to have full rights not only to BiH Citizenship but also to Entity Citizenship. All persons who are citizens of BiH in accordance with this law and who on 6 April, 1992 were residents of the country must have full citizenship regardless of whether they live here or abroad.

This law will also provide for former citizens of the SFRY to opt for naturalisation and so gain citizenship of Bosnia and Herzegovina after a given period of time.

The Law on Travel Documents of Bosnia and Herzegovina will regulate the travel documents of citizens of Bosnia and Herzegovina. There will be one passport for all citizens of Bosnia and Herzegovina. Passports will be issued by the competent authorities of BH, including the diplomatic and consular representations, and the two entities. This approach is a common one found within other European countries.

Today at the session of the Council of Ministers I have presented the final proposals of the Office of the High Representative for the Law on Citizenship of Bosnia and Herzegovina and the Law on Travel Documents of Bosnia and Herzegovina. I am very disappointed to announce that these Laws have not been adopted. Our final proposals were accepted by both the Bosniac and Croat members of the Council of Ministers. Unfortunately in both cases the Serbs members did not agree. As agreed at the meeting of the Peace Implementation Council in Sintra the failure to respect deadlines will have consequences.

On the subject of travel I would like to mention Banja Luka airport. The airport ceased to function for civil traffic in

1992. 5 years later it is only open for SFOR. This is not right and must be changed. A joint Civil Aviation Authority for BiH is required immediately. Preparations are currently underway for the opening of Tuzla and Mostar while Banja Luka remains closed. This will remain the case until there is a common administrative roof over all three of them under the standards of the international governing body. It is only under these standards that airports will be allowed to function.

Once again I am called upon to ask the leadership of RS to sign up to a solution which will allow airports to function. We have submitted a solution and the responsibility now lies with them to act.

I am not intending to be the bearer of only bad news. In the area of Jajce we have seen some serious progress. Two weeks ago we saw violence erupt in this area, a reminder of the dark days of the war, we made it clear that this will not be tolerated in the future. The days of ethnic cleansing are over. The return of refugees to their original homes is a right that is not open for debate. For those who would seek to block this return procedure by any means I have only one thing to say. You are swimming against the tide of resolve that the IC and the vast majority of DPs and refugees have formed in this country. You the ignorant minority are not strong enough to block the basic human rights of the people of this country.

OHR has been actively engaged in producing a schedule for return to the villages of Kruscica, Divicani, Bucici, Lendici and Sibenica. On 12 August I chaired a meeting with the Croat authorities in Jajce and the Bosniak mayor in exile. During this meeting I made clear to all present their obligations under the Federation agreement made on 5 August to enable returns to Jajce by 18 August. This was a tough meeting but we did reach an agreement and as a result we expect to see the first returns to Kruscica this weekend and to the other villages next week.

The complex nature of refugee returns to areas from which they were expelled means that we must be prepared to do something for everyone within the Central Bosnian Canton. We are working out a program for all people from the CB Canton to return and now need to turn agreements into concrete action. You may ask why just this Canton?. We will do everything within our power to help all refugees but I believe that the CB Canton is vital to the whole process.

Finally I will mention an issue that I am sure you are all waiting for clarification on, the constitutional crises within RS. Yesterday it was announced that the CC had ruled against President Plavsic. It has always been the position of OHR that President Plavsic has acted within the law of the constitution of RS. We still maintain that position. There is nothing to be gained by now continuing the political status quo in RS. RS has a lot of catching up to do both in terms of implementing the peace agreement in its full spirit and economically. The only solution to this situation is to hold new elections for the national assembly as soon as possible. This must be done under international supervision in order to ensure that they are fair and democratic. The peace process can only succeed if a strong, democratic RS emerges from the shadows and takes its rightful place as an equal partner in BiH and through BiH in Europe. You must ask yourselves who stands to loose what if fair and democratic elections are held for the national assembly. You need pragmatic and responsible representation in the future if the RS is to avoid economic catastrophe. You must demand from your leadership that they face up their obligations and do all in their power to provide you with a prosperous and democratic future within the family of European nations Think hard about these issues over the coming days.