

High Representative Lays Out Steps To Transform OHR to EU-Led Mission

In a key speech to Bosnia and Herzegovina's House of Representatives, the High Representative today laid out the steps that need to be taken in order to begin the process of transforming the OHR into a EU-led mission, and start to phase out the Bonn Powers.

He also outlined measures that could be taken in order to begin to transfer responsibilities back to the BiH authorities and prepare for the transition to a less interventionist international civilian presence. "As we approach the tenth anniversary of Dayton , it is right that attention should increasingly focus on what form that future will take, and on how BiH can move from democracy under the tutelage of the International Community, to a fully fledged, decentralized, modern, sovereign democratic state," he said.

However, the High Representative said that this process could only begin once BiH begins the Stabilisation and Association process. He reminded parliamentarians of the conclusions of the most recent meeting of the political directors of the Peace Implementation Council, in which political directors expressed readiness to transfer responsibilities to the BiH authorities.

"The start of SAA negotiations is the trigger which releases a process of change," he said. "Once that threshold is crossed, then the scaffolding of the European Union starts to replace the scaffolding of Dayton , as BiH moves into the next phase of its journey to statehood."

"If BiH is in the SAA negotiations, then that transition process could start as early as November this year, and the

OHR could be replaced by an EU led mission from October 2006 – i.e., just after the next general elections,” he said.

To get to this stage, he urged both governing and opposition parties must forge a political consensus, and work together to pursue the EU agenda. He noted that every country that has joined the EU in recent years has managed to put EU reforms above day-to-day political interests. “It is up to you. The key transition of OHR to an EU-led mission could happen as early as next year,” he said.

Expressing his full support for the work of the Venice Commission, the High Representative urged politicians and parliamentarians to prepare for the transition to a less interventionist international presence. “It is fashionable to disparage the Bonn Powers. But a world without them is going to take quite a lot of getting used to. So my advice is that you start to prepare for this transition to a more normal international civilian presence, designed to meet the needs of the pre-accession BiH of 2005,” he said.

Measures that could be taken in order to transfer responsibilities back to the BiH authorities include:

- Measures to end the OHR’s role in the vetting process. The High Representative said that the OHR will prepare draft legislation which will set up a process of parliamentary scrutiny of key executive appointments.
- Plans to end the OHR’s role in interpreting the BiH Constitution. The Ministry of Justice currently chairs a working group that is finalizing constitutional amendments that will allow the government in BiH to consult the Constitutional Court on draft legislation before it is enacted. “When this happens, the OHR’s role here, too can vanish” said the High Representative
- The High Representative said that he is in favour of limiting the time that international judges sit in the State Court.

- He said that the OHR should no longer be in charge of drafting new laws, and urged Parliamentarians to start to think how they will do this.
- He also expressed his desire to uphold the standard that holders of executive office should stand aside from office when criminally indicted. He suggested that the HoR may consider passing a resolution which would entrench this principle in parliamentary practice.