

# **Remarks by the High Representative, Paddy Ashdown at a Conference on the Balkans and Euro-Atlantic Integration: Beyond Dayton: “At the crossroads: BiH’s journey from Dayton to Brussels”**

*Organised by the US Institute for Peace*

Ladies and Gentlemen,

It is no coincidence that the tenth anniversary of Dayton has been marked by a flurry of constitutional initiatives.

This is not, as some of the recent media stories would have us believe, some grand new idea.

For the last ten years, the evolution of the Constitution enshrined in Dayton has been a reality of political life in BiH. Peace implementation, postwar recovery and the country’s development as a viable modern democracy have all been dynamic processes – not static ones. And one of the major successes of the Dayton Agreement has been that it has allowed this evolution within it.

But as Bosnia and Herzegovina launches Stabilisation and Association negotiations with the European Union it enters a new era – an era, as I have often stated, where the *push* of Dayton is being replaced by the *pull* of Brussels. And an era in which BiH will find that as it draws closer to Brussels, it has no alternative but to deal with reforms – on a daily basis – that touch on constitutional questions. To get to the end of the road that leads to the EU, BiH will have to do more than tinker around the edges of the Constitutional question: its politicians will need to unite in delivering wholesale reforms.

We all here know that the Dayton Paris Peace Accords were designed for a very specific purpose: to end the bitter conflict of the 1990s that blighted the lives of so many of Bosnia’s ordinary citizens.

The Agreement achieved this objective – and did so with a startling success that proved many commentators at the time wrong.

But Dayton also had its weaknesses, and loopholes which could be exploited by those who wanted to block reform and prevent BiH moving out of the darkness of war.

It is clear that many of those who negotiated the Dayton Agreement had every intention of ignoring those parts of it that they disliked while trumpeting those parts that they believed served their own particular agenda.

This bedeviled the early years of peace implementation.

In order to make Dayton work it became necessary to reduce the capacity of obstructionists to use it for their own ends.

This was the rationale behind successive interventions and modifications – the introduction of the Bonn Powers at the end of 1997, and the political agreement on implementing the Constitutional Court’s ruling on the Constituency of Peoples at the beginning of 2001 are two examples.

Partly as a result of these efforts, but more due to an increasingly enlightened local political leadership that has – finally – realized that the only secure future for BiH’s citizens is to commit fully to the process of building the BiH state, the brunt of major obstructionism is hopefully behind us.

BiH has come an incredibly long way since the Dayton Agreement was signed.

As major reforms – such as defence and police restructuring and the creation of a modern taxation system – have been initiated or substantially implemented in recent months, the time has clearly come to discuss “normalizing” the role of the International Community in BiH. This process will necessarily be accompanied by the development

of constitutional structures that can guarantee that the progress that has been made is sustained. And by doing so, obviates the need for heavyweight International intervention.

### **BiH's journey - Sustainable**

The question now is whether *ad hoc* modifications are sufficient, or whether BiH needs root and branch constitutional reform in order to move forward into the Brussels Era.

I am convinced that Dayton was the essential framework for this phase. But, unless changed, Dayton will be a major impediment to the next phase.

I believe that BiH needs constitutional reform in order to enter the Brussels Era, but that this reform must be organic, built on consensus, incremental and fully integrated in the detailed requirements of the EU accession process. In other words it will be a constitutional process akin to that which has been followed to a greater or lesser degree by all the other EU member states -including my own - in the process of accession.

It is not a process that should give rise to misgiving. It should be viewed as a means of taking BiH as quickly as possible to the destination that all of its citizens fervently want to reach - full integration in Europe.

And we cannot delay. We must start immediately. One commodity BiH hasn't got is time.

The OHR is no longer going to sit at the heart of BiH's political life. Other international agencies that have played key roles have already scaled back their operations. So the people of BiH and their representatives need a constitutional map for the future - a normal future as a normal European state.

The recent constitutional discussions have shown that the mechanics of dialogue are now firmly embedded in the BiH political environment. This is in itself a huge step forward. At Dayton, as many in this room are only too well aware, negotiations were often sidetracked or brought to a standstill by a fundamental communications gap.

That gap has been closed. A sustained and constructive exchange of ideas and proposals is now the norm.

In my view, the key question is whether constitutional debate can be translated into tangible benefits for citizens.

I remember during the war one citizen remarking acidly as she listened in a battered apartment block to a radio report about the latest peace talks, taking place far away from war-torn BiH, "They should be made to sit in an ice cold room till they can agree - *that* would concentrate their minds."

We should keep that ice cold room in mind. Things are getting better in Bosnia and Herzegovina. The economy is growing; investment is increasing; more jobs are being created; public services are improving.

But none of these things is happening fast enough.

Those charged with negotiating constitutional change cannot be allowed to forget that they are dealing with a country characterized by poorly heated schools and inadequately equipped hospitals, trams and busses that are infrequent and overcrowded, and apartment blocks where the lifts have never been repaired.

If constitutional change isn't seen to improve the lot of ordinary citizens, it won't have much credibility with them.

BiH is a State that needs to multiply the benefits for its citizens - not multiply the perks for its politicians. I see that one of the outcomes of the weekend's discussions has been to double the size of the State Parliament. But the Entity parliaments remain the same size. And as a result, BiH gets just what it neither needs nor can afford - more politicians.

We should from now on be guided by the requirements of EU integration and by the necessity to deliver practical benefits for ordinary citizens, whose lives are impoverished - their chances of prosperity strangled by an overweight, over-expensive, over-bureaucratic system of Government which is now long overdue for reform.

But the important thing is not the outcome of these talks. It is that the process to discuss how to reform BiH and its government has begun.

In the last three and a half years we have already gone a considerable distance along the path of constitutional

change and consequent integration in Europe.

- The Council of Ministers has been expanded from six to nine ministries, and the position of chair has been consolidated by making the appointment for four years rather than eight months;
- The judicial reform process is substantially complete;
- Defence reform is well advanced;
- The steps that must be taken in order to provide BiH with a European standard, democratically controlled police system have been agreed;
- Fiscal reform has produced a tax system that can gather and channel revenue more effectively into public services.

Each of these changes has involved creating or expanding the basic institutions of a light-level state, governing a highly decentralized country, and at the same time securing increases in efficiency and service.

The major thrust must now be to reduce the cost of government, optimizing expenditure by eliminating the duplication of services across different tiers of the sprawling administrative system, and bringing civil service salaries into line with the country's capacity to pay. This means channeling funds directly to citizens. No state can win the loyalty of its citizens when it spends 70 percent of their taxes on government and only 30 percent on services to the people themselves.

The object of the next phase must be to create a state that puts its citizens - not its politicians - first.

Which means making the institutions that have been created fully operational.

At Dayton last week, I noted, as I have often noted before, that the days when the future of Bosnia and Herzegovina would be decided at an air force base on the other side of the world have long since passed.

And indeed they have.

Yet it is still appropriate - and right - that we are here today on the other side of the Atlantic talking about BiH.

Because BiH testifies to the fact that countries *can* be rebuilt, that refugees *can* go home, that guns *can* be turned into ploughshares.

This is a country whose recovery matters well beyond its borders.

But, from here on in, the motive force for that recovery must come from inside, from the representatives of the people utilizing the dialogue that has now been established.

When I became High Representative three and a half years ago I set as my task putting Bosnia and Herzegovina irrevocably on the road to full statehood and integration in Europe .

I am proud that today I can say that this task has broadly been accomplished.

Moving further along that road is no longer a matter for the International Community - It is now a matter for the people of Bosnia and Herzegovina.

Thank you