Remarks by High Representative, Paddy Ashdown at the Formal Handover of the BiH Court Detention Facility

Ladies and Gentlemen,

The Rule of Law is any state's No. 1 priority.

Establishing the rule of law will determine the success or failure of everything we do inBosnia and Herzegovina.

Every political, economic and social reform, every initiative aimed at putting this country firmly on the road to Europe will stand or fall on the strength of our success or failure in this area.

If the rule of law takes root, Bosnia and Herzegovina will succeed. If it does not, BiH will fail.

The significance of today's events – or at least part of their significance – lies in the extent to which they demonstrate that the International Community and the BiH authorities understand this principle and are prepared to make it reality.

With the inauguration of this building we mark a huge step forward in equipping Bosnia and Herzegovina with the practical capacity to dispense justice, which is indispensable to BiH's claim to full sovereign statehood.

The Court of Bosnia and Herzegovina began operating in 2003, but until now it has had to rely on the Entities to provide pre-trial and post-sentencing detention facilities.

But now, thanks to generous donations from the Netherlands and the United States, and the assistance of the Scottish Prison

Service we now have a pre-trial detention facility. Now this space is somewhat limited – 21 beds – bed space will be reserved for the 11 *bis* transfers from The Hague.

It does not end here. This is just the beginning of a substantive prison reform in Bosnia and Herzegovina. The State and the Entities must now begin to prepare for the future, when the War Crimes Chamber begins sentencing. The prisons of Kula, Sarajevo, and Zenica have no room to accept more detainees. With both sections of the Court operational we can expect around 50 more pretrial detainees to enter the Entity prison systems by the end of this year. That number will increase exponentially over the coming years – 200 pretrial detainees in 2006; the same if not more in 2007. And, with the maximum time in pre-trial detention being 30 months, you can see how this will quickly reach crisis proportions. So extra capacity must be built.

And it does not stop there. In due course we have to create a national prison system for Bosnia and Herzegovina.

I said at the beginning, the Rule of Law is essential to a state – and an essential prison system is an integral and indispensable part of the apparatus needed to sustain the rule of law.

The facility which we are here to inaugurate this morning – the most modern pre-trial detention facility in the country – testifies to our commitment to that aim. In particular I would like to thank the Federation government for their assistance in securing this location, and the State and Entity justice ministries for their cooperation in taking the project forward.

The Council of Europe has also played a key role in this process and has worked steadily towards bringing the Entity prison systems into line with European standards.

We are here today to mark a step forward in making Bosnia and

Herzegovina a safer place to live. That is – and must remain – the basis of everything we do.

Thank you